

ESTTA Tracking number: **ESTTA757463**

Filing date: **07/11/2016**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	Duke University
Granted to Date of previous extension	07/10/2016
Address	Office of University Counsel 10 Blackwell St, 4th Floor Durham, NC 27701 UNITED STATES
Attorney information	Susan Freya Olive Olive & Olive, P.A. 500 Memorial Street P.O. BOX 2049 Durham, NC 27702 UNITED STATES emailboxTTAB@oliveandolive.com, solive@oliveandolive.com, jcor-tina@oliveandolive.com

Applicant Information

Application No	86693375	Publication date	01/12/2016
Opposition Filing Date	07/11/2016	Opposition Period Ends	07/10/2016
International Registration No.	NONE	International Registration Date	NONE
Applicant	CDS-IP, S.A. Avenue Ernest Solvay, 29 Saintes, 1480 BELGIUM		

Goods/Services Affected by Opposition

<p>Class 025. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Clothing, namely, shirts, tops, sweatshirts, sweaters, sweatsuits, pants, shorts, jackets, skirts, socks, rainwear, swimwear, and underwear; headwear; footwear; golf shoes; athletic shoes</p>
<p>Class 028. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Golf clubs; golf gloves; golf tees; golf tee bags; golf tee holders; golf practice mats; golf practice nets; golf club covers; golf club head covers; golf ballmarkers; golf ball spotters; golf ball retrievers; golf bags; golf bag covers; stands for golf bags; divot repair tools; putting practice mats; practice golf holes; practice golf balls; golf swing alignment apparatus; golf balls; squash balls; tennis balls; table tennis balls; racquetballs; paddle balls; footballs; basketballs; volleyballs; netballs; softballs; baseballs; balls for games; shuttlecocks; bats for games; badminton rackets; tennis rackets; squash rackets; racquetball rackets; paddle rackets; rackets for ball games; table tennis bats; bags shaped to contain rackets for squash, badminton, tennis, racquetball, paddle or table tennis bats; grip bands for squash, badminton, tennis, racquetball and paddle rackets and table tennis bats; head covers for squash, badminton, tennis, racquetball and</p>

paddle rackets and table tennis bats; strings for squash, badminton, racquetball and tennis rackets; strings for rackets for ball games; string protectors for squash, badminton, racquetball and tennis rackets; vibration dampeners for tennis, squash and racquetball rackets; nets for tennis, table tennis, paddle, badminton and volleyball; nets for games; basketball boards; basketball and netball hoops, nets for basketball and netball hoops; tennis ball throwing machines; tapes for wrapping squash, badminton, racquetball, paddle and tennis racket handle grips; tapes for wrapping racket and bat grips; tables for playing table tennis; racquetball gloves; toys, games and playthings, namely, multiple activity toys, toy bats and balls, toy rackets, toy golf clubs, and toy bows and arrow; flying discs

Applicant Information

Application No	86775993	Publication date	03/29/2016
Opposition Filing Date	07/11/2016	Opposition Period Ends	
International Registration No.	NONE	International Registration Date	NONE
Applicant	CDS-IP, S.A. Avenue Ernest Solvay, 29 Saintes, 1480 BELGIUM		

Goods/Services Affected by Opposition

Class 018. First Use: 0 First Use In Commerce: 0


All goods and services in the class are opposed, namely: Leather and imitations of leather; animal skins and hides; leather thongs and straps; clothing, covers, collars, leashes and leads for animals; trunks and travelling bags; luggage and suitcases; luggage tags, luggage straps; haversacks, backpacks, rucksacks, knapsacks; all-purpose carrying bags; athletic bags; carry-all bags; shoulder bags; briefcase-type portfolios; wallets, purses, leather pouches; business card holders and card wallets; leather shoulder belts and straps; umbrellas, umbrella seats, parasols, walking sticks, canes, whips; horse tack, namely, bridles, reins, leads, bits, stirrup leathers, girth straps, lunge lines, halters, harnesses and saddlery; baby carriers worn on the body; frames for handbags; bandoliers; leather for furniture; handles for suitcases and walking sticks; parts and fittings for all the aforesaid goods

Grounds for Opposition


Priority and likelihood of confusion	Trademark Act Section 2(d)
False suggestion of a connection with persons, living or dead, institutions, beliefs, or national symbols, or brings them into contempt, or disrepute	Trademark Act Section 2(a)

Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	1701827	Application Date	10/01/1991
Registration Date	07/21/1992	Foreign Priority Date	NONE
Word Mark	DUKE UNIVERSITY		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 020. First use: First Use: 1925/00/00 First Use In Commerce: 1965/00/00 pillows Class 021. First use: First Use: 1965/00/00 First Use In Commerce: 1965/00/00 cups Class 025. First use: First Use: 1925/00/00 First Use In Commerce: 1965/00/00 shirts

U.S. Registration No.	1702350	Application Date	09/30/1991
Registration Date	07/21/1992	Foreign Priority Date	NONE
Word Mark	DUKE UNIVERSITY STORES		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 042. First use: First Use: 1940/00/00 First Use In Commerce: 1940/00/00 retail store and mail order services inthe field of clothing, furniture, toys,games, sports equipment, school and office supplies, educational materials, computers, books, photography, housewares, towels, floor coverings, jewelry, ornaments, stationery, prints, camping equipment, pennants, decals, memorabilia, items-bearing Duke University trademarks, anditems depicting Duke University or its students, faculty, or campus life		

U.S. Registration No.	1702830	Application Date	10/01/1991
Registration Date	07/28/1992	Foreign Priority Date	NONE
Word Mark	DUKE UNIVERSITY		
Design Mark			
Description of	NONE		

Mark	
Goods/Services	<p>Class 006. First use: First Use: 1965/00/00 First Use In Commerce: 1965/00/00 key rings made primarily of metal and metal license plates</p> <p>Class 016. First use: First Use: 1925/00/00 First Use In Commerce: 1965/00/00 business card holders, decals, postcards, notepaper, envelopes, stationery, notebooks, loose leaf binders, pens, pencils, pen and pencil sets and paper bags</p> <p>Class 018. First use: First Use: 1925/00/00 First Use In Commerce: 1965/00/00 trunks for traveling, travel bags, and toiletry cases sold empty</p> <p>Class 024. First use: First Use: 1925/00/00 First Use In Commerce: 1965/00/00 tablecloths not of paper, blankets, and cloth flags</p>

U.S. Registration No.	1703029	Application Date	09/30/1991
Registration Date	07/28/1992	Foreign Priority Date	NONE


Word Mark	D
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Design Mark	
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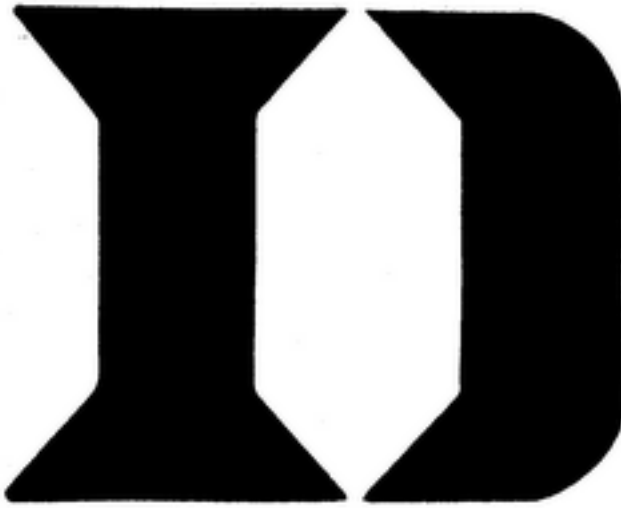
Description of Mark	NONE
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Goods/Services	<p>Class 009. First use: First Use: 1971/06/00 First Use In Commerce: 1971/06/00 decorative magnets</p> <p>Class 014. First use: First Use: 1971/06/00 First Use In Commerce: 1971/06/00 jewelry; namely, necklaces, pins, cuff links and tie tacks</p> <p>Class 025. First use: First Use: 1971/06/00 First Use In Commerce: 1971/06/00 jackets and pants</p>
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U.S. Registration No.	1703267	Application Date	09/30/1991
Registration Date	07/28/1992	Foreign Priority Date	NONE

Word Mark	NONE		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 016. First use: First Use: 1982/09/00 First Use In Commerce: 1982/09/00 paper identification tags and decals</p> <p>Class 020. First use: First Use: 1982/09/00 First Use In Commerce: 1982/09/00 plaques and chairs</p> <p>Class 025. First use: First Use: 1982/09/00 First Use In Commerce: 1982/09/00 pants, shirts and jackets</p>		
U.S. Registration No.	1703433	Application Date	09/30/1991
Registration Date	07/28/1992	Foreign Priority Date	NONE
Word Mark	NONE		


Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 1982/09/00 First Use In Commerce: 1982/09/00 pants and underwear		

U.S. Registration No.	1707766	Application Date	09/30/1991
Registration Date	08/18/1992	Foreign Priority Date	NONE
Word Mark	D		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 006. First use: First Use: 1971/06/00 First Use In Commerce: 1971/06/00 key chains made primarily of metal Class 020. First use: First Use: 1971/06/00 First Use In Commerce: 1971/06/00		


	tables Class 025. First use: First Use: 1971/06/00 First Use In Commerce: 1971/06/00 scarves, hats, socks, shirts, sweaters and pants
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U.S. Registration No.	1713473	Application Date	10/01/1991
Registration Date	09/08/1992	Foreign Priority Date	NONE
Word Mark	UNIVERSITAS DUKIANA ERUDITIO ET RELIGIO		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 014. First use: First Use: 1965/00/00 First Use In Commerce: 1965/00/00 jewelry; namely, class rings Class 041. First use: First Use: 1965/00/00 First Use In Commerce: 1965/00/00 educational services; namely, providing courses of study at the undergraduate and graduate level		


U.S. Registration No.	1724999	Application Date	09/30/1991
Registration Date	10/20/1992	Foreign Priority Date	NONE
Word Mark	D U ERUDITIO ET RELIGIO		


Design Mark	
Description of Mark	NONE
Goods/Services	<p>Class 006. First use: First Use: 1966/02/00 First Use In Commerce: 1966/02/00 key rings made primarily of metal, and metal license tags</p> <p>Class 008. First use: First Use: 1966/02/00 First Use In Commerce: 1966/02/00 pocket knives</p> <p>Class 009. First use: First Use: 1966/02/00 First Use In Commerce: 1966/02/00 decorative magnets, telephones, developed photographic slide transparencies, and graduated rulers</p> <p>Class 012. First use: First Use: 1966/02/00 First Use In Commerce: 1966/02/00 automobile window shades</p> <p>Class 014. First use: First Use: 1966/02/00 First Use In Commerce: 1966/02/00 cuff links, watches, and clocks</p> <p>Class 015. First use: First Use: 1966/02/00 First Use In Commerce: 1966/02/00 [musical instruments; namely, hand bells]</p> <p>Class 016. First use: First Use: 1966/02/00 First Use In Commerce: 1966/02/00 business card holders, pens, pencils, sets containing pens and pencils, desk top accessories; namely, pens, pencils, pen and pencil sets, blotters, paperweights and desk top calendars, paperweights, book ends, stationery, playing cards, paper napkins, cardboard gift boxes, paperbags, decals, stickers, filler paper, notepads, notebooks, clipboards, stationery type portfolios, memorandum boards, calendars, address books, paper coin holders, and paper diploma cases</p> <p>Class 018. First use: First Use: 1966/02/00 First Use In Commerce: 1966/02/00 umbrellas</p> <p>Class 020. First use: First Use: 1966/02/00 First Use In Commerce: 1966/02/00 plaques, pillows, plastic novelty license plates, and chairs</p> <p>Class 021. First use: First Use: 1966/02/00 First Use In Commerce: 1966/02/00 wooden serving trays, cups, beverage glasses, mugs, insulated beverage holders, decorative jars not of precious metal, vases, coasters, coaster racks, jewelry boxes, serving trays not made of wood also not made of precious metal, and soap dishes</p>

	<p>Class 022. First use: First Use: 1966/02/00 First Use In Commerce: 1966/02/00 laundry bags, and plastic bags for securing valuables</p> <p>Class 024. First use: First Use: 1966/02/00 First Use In Commerce: 1966/02/00 pennants not of paper, blankets, tablecloths not of paper, and towels</p> <p>Class 025. First use: First Use: 1966/02/00 First Use In Commerce: 1966/02/00 neckties, shirts, pants, and sweaters</p> <p>Class 026. First use: First Use: 1966/02/00 First Use In Commerce: 1966/02/00 buttons for clothing, fabric appliques, and needlepoint kits consisting of one or more of skeins of floss, fabric, needle, photo of completed design, needlepoint pattern and instructions</p> <p>Class 028. First use: First Use: 1966/02/00 First Use In Commerce: 1966/02/00 board games and Christmas tree ornaments</p>
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U.S. Registration No.	1737968	Application Date	09/30/1991
Registration Date	12/08/1992	Foreign Priority Date	NONE
Word Mark	D		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 006. First use: First Use: 1982/09/00 First Use In Commerce: 1982/09/00 metal license plates and metal key chains</p> <p>Class 011. First use: First Use: 1982/09/00 First Use In Commerce: 1982/09/00 lamps</p> <p>Class 012. First use: First Use: 1988/10/00 First Use In Commerce: 1988/10/00 automobile windshield sunshades</p> <p>Class 014. First use: First Use: 1982/09/00 First Use In Commerce: 1982/09/00 watches and women's jewelry</p> <p>Class 016. First use: First Use: 1982/09/00 First Use In Commerce: 1982/09/00 decals, [paper flags,] note pads, and writing paper</p> <p>Class 018. First use: First Use: 1982/09/00 First Use In Commerce: 1982/09/00 [trunks for traveling and] gym bags</p> <p>Class 020. First use: First Use: 1982/09/00 First Use In Commerce: 1982/09/00 chairs, [plastic flags,] and jewelry cases not of precious metal</p> <p>Class 021. First use: First Use: 1982/09/00 First Use In Commerce: 1982/09/00</p>		


	<p>cups, wastepaper baskets, and insulated can holders</p> <p>Class 024. First use: First Use: 1982/09/00 First Use In Commerce: 1982/09/00</p> <p>cloth flags</p> <p>Class 025. First use: First Use: 1982/09/00 First Use In Commerce: 1982/09/00</p> <p>hats, socks, pants, shirts, sweatshirts, and sweaters</p> <p>Class 027. First use: First Use: 1982/09/00 First Use In Commerce: 1982/09/00</p> <p>floor mats for household use</p> <p>Class 028. First use: First Use: 1982/09/00 First Use In Commerce: 1982/09/00</p> <p>sports balls and basketball backboards</p>
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U.S. Registration No.	2026492	Application Date	06/27/1995
Registration Date	12/31/1996	Foreign Priority Date	NONE
Word Mark	DKE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 1995/02/17 First Use In Commerce: 1995/02/17 clothing, namely, T-shirts		


U.S. Registration No.	2082553	Application Date	06/28/1995
Registration Date	07/22/1997	Foreign Priority Date	NONE
Word Mark	DKE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 028. First use: First Use: 1996/11/12 First Use In Commerce: 1996/11/12 balloons		

U.S. Registration No.	2092314	Application Date	06/28/1995
Registration Date	08/26/1997	Foreign Priority	NONE

		Date	
Word Mark	D KE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 024. First use: First Use: 1996/11/22 First Use In Commerce: 1996/11/22 pennants not of paper		

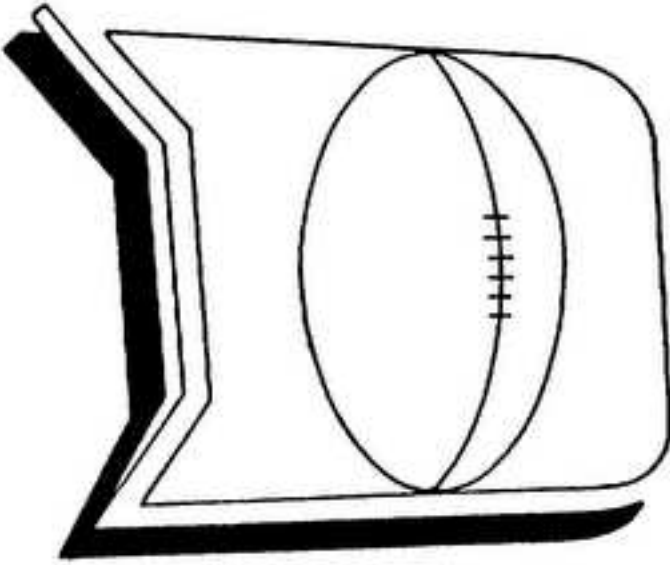
U.S. Registration No.	2100928	Application Date	03/25/1996
Registration Date	09/30/1997	Foreign Priority Date	NONE
Word Mark	CAMERON CRAZIE D		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 1992/03/17 First Use In Commerce: 1992/03/17 clothing, namely, shirts		

U.S. Registration No.	2122067	Application Date	06/28/1995
Registration Date	12/16/1997	Foreign Priority Date	NONE
Word Mark	DKE		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 016. First use: First Use: 1996/11/05 First Use In Commerce: 1996/11/05 decals, stickers, stationery, and note pads Class 021. First use: First Use: 1996/11/06 First Use In Commerce: 1996/11/06 drinking glasses, cups, and mugs

U.S. Registration No.	2203764	Application Date	07/01/1997
Registration Date	11/17/1998	Foreign Priority Date	NONE
Word Mark	DUKE CENTER FOR LIVING		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 041. First use: First Use: 1991/08/00 First Use In Commerce: 1991/08/00 educational services, namely, conducting classes, individualized programs, re-treats, seminars, and workshops in the fields of health, medicine, nutrition, physical fitness, and stress and lifestyle management; and providing facilities for exercise Class 042. First use: First Use: 1991/08/00 First Use In Commerce: 1991/08/00 counseling in the fields of health care, nutrition, physical fitness, and stress and lifestyle management; medical services; restaurant services; and weight management diet planning and supervision		

U.S. Registration No.	2307324	Application Date	10/06/1998
Registration Date	01/11/2000	Foreign Priority Date	NONE
Word Mark	D		


Design Mark	
Description of Mark	NONE
Goods/Services	Class 021. First use: First Use: 1997/06/05 First Use In Commerce: 1997/06/05 cups and mugs Class 024. First use: First Use: 1997/05/17 First Use In Commerce: 1997/05/17 cloth pennants Class 025. First use: First Use: 1997/06/00 First Use In Commerce: 1997/06/00 shirts and hats


U.S. Registration No.	2317603	Application Date	08/26/1997
Registration Date	02/15/2000	Foreign Priority Date	NONE
Word Mark	DUKE		
Design Mark	DUKE		
Description of Mark	NONE		
Goods/Services	Class 041. First use: First Use: 1935/01/00 First Use In Commerce: 1935/01/00 Educational services and teaching hospital services, namely, conducting classes, seminars, workshops, conferences and exhibitions, and distributing course materials therewith, in the field of medicine and health care, and conducting medical and health care training in the use of medical and health care devices, all provided via live sessions, interactive and/or on-line computer networks, television, and/or video-conferencing		

	Class 042. First use: First Use: 1935/01/00 First Use In Commerce: 1935/01/00 providing hospital, medical, and healthcare services; providing medical services delivered by mobile unit; conducting clinical and experimental research in the fields of health care and medicine; and providing health-related support group services
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U.S. Registration No.	2415817	Application Date	01/07/2000
Registration Date	12/26/2000	Foreign Priority Date	NONE
Word Mark	DUKECARD		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 009. First use: First Use: 1985/08/00 First Use In Commerce: 1985/08/00 magnetically encoded debit cards, security access cards, admission cards, identification cards and telephone calling cards for use in debit and stored-value transactions, library material rentals, purchase of goods and services from contracting vendors and for gaining access to facilities and events</p> <p>Class 036. First use: First Use: 1985/08/00 First Use In Commerce: 1985/08/00 financial services namely, providing and administering issuance, redemption and processing of transactions related to debit and stored value cards, and issuing statements of account and payment processing, and transactions related thereto</p>		


U.S. Registration No.	2820854	Application Date	11/07/2002
Registration Date	03/09/2004	Foreign Priority Date	NONE
Word Mark	D		

Design Mark	
Description of Mark	NONE
Goods/Services	<p>Class 009. First use: First Use: 1996/05/08 First Use In Commerce: 1996/05/08 decorative magnets</p> <p>Class 014. First use: First Use: 1988/08/15 First Use In Commerce: 1988/08/15 earrings</p> <p>Class 016. First use: First Use: 1988/08/15 First Use In Commerce: 1988/08/15 stationery</p> <p>Class 021. First use: First Use: 1988/08/15 First Use In Commerce: 1988/08/15 beverage glasses and portable coolers</p> <p>Class 025. First use: First Use: 1988/08/15 First Use In Commerce: 1988/08/15 shirts, sweatshirts and underwear</p>

U.S. Registration No.	3157222	Application Date	07/20/2005
Registration Date	10/17/2006	Foreign Priority Date	NONE
Word Mark	DUKIE		
Design Mark			
Description of Mark	NONE		

Goods/Services	Class 025. First use: First Use: 2002/07/17 First Use In Commerce: 2002/07/17 Children's wear, namely, jackets, wind jackets, wind vests, undergarments, pants, shorts, sweaters, sweat pants, sweat shirts, sports jerseys, headwear, gloves, sleepwear, neckwear, uniforms, footwear, dresses; infants' wear, namely, jackets, wind jackets, wind vests, undergarments, shirts, pants, shorts, dresses, skirts, headwear, footwear, gloves, sleepwear, and infants' cloth and plastic bibs
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U.S. Registration No.	3780204	Application Date	03/27/2009
Registration Date	04/27/2010	Foreign Priority Date	NONE

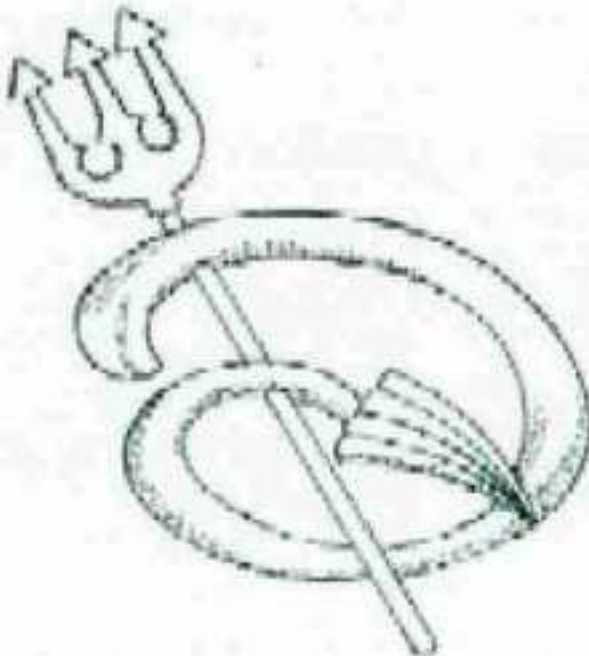
Word Mark	DUKEENGAGE
Design Mark	

Description of Mark	NONE
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Goods/Services	<p>Class 035. First use: First Use: 2007/02/01 First Use In Commerce: 2007/02/01 charitable services, namely, organizing and conducting volunteer programs and community service projects; providing a website featuring information on social issues, namely, activities in the field of civic engagement and public service</p> <p>Class 036. First use: First Use: 2007/02/01 First Use In Commerce: 2007/02/01 charitable fundraising services</p> <p>Class 041. First use: First Use: 2007/02/01 First Use In Commerce: 2007/02/01 Educational services, namely, conducting workshops and programs and providing internships in the field of civic engagement and public service and distribution of training material in connection therewith; on-line journals, namely, blogs featuring information regarding cultural immersion for community service projects and other volunteer programs</p> <p>Class 042. First use: First Use: 2007/02/01 First Use In Commerce: 2007/02/01 Computer services, namely, creating an on-line community for users to participate in discussions and receive feedback</p>
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U.S. Registration No.	3878213	Application Date	08/03/2006
Registration Date	11/16/2010	Foreign Priority Date	NONE
Word Mark	DUKE		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 016. First use: First Use: 2010/02/01 First Use In Commerce: 2010/02/01 Decals, note pads, note cards, writing paper, and binders


U.S. Registration No.	3925905	Application Date	02/29/2008
Registration Date	03/01/2011	Foreign Priority Date	NONE
Word Mark	D		
Design Mark			
Description of Mark	The mark consists of a stylized capital letter "D" superimposed over a three-pronged pitchfork. The letter "D" contains a barbed devil tail that encircles the pitchfork's staff.		
Goods/Services	Class 006. First use: First Use: 2010/11/18 First Use In Commerce: 2010/11/18 Key holders made primarily of metal Class 008. First use: First Use: 2010/11/18 First Use In Commerce: 2010/11/18 Pocket knives Class 009. First use: First Use: 2010/11/18 First Use In Commerce: 2010/11/18 Decorative magnets Class 014. First use: First Use: 2010/11/18 First Use In Commerce: 2010/11/18 Jewelry; wrist watches Class 016. First use: First Use: 2010/11/18 First Use In Commerce: 2010/11/18 desktop business card holders, decals, stickers		

	<p>Class 021. First use: First Use: 2010/11/18 First Use In Commerce: 2010/11/18 mugs, thermal insulated containers for food or beverage</p> <p>Class 024. First use: First Use: 2010/11/18 First Use In Commerce: 2010/11/18 Cloth pennants</p> <p>Class 025. First use: First Use: 2010/11/18 First Use In Commerce: 2010/11/18 Clothing, namely, shorts, headwear, tops, shirts</p> <p>Class 028. First use: First Use: 2010/11/18 First Use In Commerce: 2010/11/18 Balloons</p>
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U.S. Registration No.	3936096	Application Date	10/08/1998
Registration Date	03/29/2011	Foreign Priority Date	NONE
Word Mark	DUKE		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 025. First use: First Use: 1926/00/00 First Use In Commerce: 1926/00/00 clothing for men, women and children, namely, cloth and plastic bibs, booties, cheerleading costumes, dresses, hats, jackets, jerseys, mittens, neckties, night-shirts, pajamas, pants, playsuits, shirts, shoes, shorts, slippers, socks, sun visors, sweatbands, sweatpants, sweatshirts, sweaters, T-shirts and vests, and headwear, namely, earbands</p>		

U.S. Registration No.	3995015	Application Date	05/27/2010
Registration Date	07/12/2011	Foreign Priority Date	NONE
Word Mark	<p>DUKE UNIVERSITY ATHLETICS EXCELLENCE LOYALTY DIVERSITY EDUCATION ACCOUNTABILITY SPORTSMANSHIP COMMITMENT INTEGRITY RESPECT D</p>		
Design Mark	 <p>The logo is a circular emblem with a scalloped border. At the top, it reads 'DUKE UNIVERSITY'. Below this, in smaller text, are the words 'LOYALTY', 'DIVERSITY', 'EDUCATION', and 'ACCOUNTABILITY'. A large banner across the center contains the word 'EXCELLENCE'. Below the banner, in smaller text, are the words 'SPORTSMANSHIP', 'COMMITMENT', 'INTEGRITY', and 'RESPECT'. At the bottom of the emblem is a small circular logo with the letters 'DU'.</p>		

Description of Mark	The mark consists of a medallion design that consists of two outer concentric rings and an inner circle. The outermost ring has a scalloped border and contains nine stars. The mid ring contains the words "DUKE UNIVERSITY ATHLETICS" in a circular presentation. The inner circle contains the words "LOYALTY DIVERSITY EDUCATION ACCOUNTABILITY" stacked in the top half and "SPORTSMANSHIP COMMITMENT INTEGRITY RESPECT" stacked in the bottom half. The word "EXCELLENCE" appears in an oblong banner that horizontally bisects the entire medallion. A stylized letter "D" appears at the bottom of the medallion in the scalloped outer ring.
Goods/Services	Class 025. First use: First Use: 2006/09/11 First Use In Commerce: 2006/09/11 Clothing, namely, shirts Class 041. First use: First Use: 2006/09/11 First Use In Commerce: 2006/09/11 Entertainment services, namely, organizing and conducting an array of athletic events; Encouraging university athletic program by organizing and conducting educational programs and activities for athletes, alumni, supporters and fans; providing various facilities for an array of sporting events, sports and athletic competitions and awards programs

U.S. Registration No.	4760204	Application Date	11/05/2014
Registration Date	06/23/2015	Foreign Priority Date	NONE
Word Mark	IRON DUKES		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 1971/07/01 First Use In Commerce: 1971/07/01 Charitable services, namely, promoting public awareness of the need for supporting athletic activities, facilities and events; Club services, namely, promoting the interests of supporters of athletic activities, facilities and events Class 036. First use: First Use: 1971/07/01 First Use In Commerce: 1971/07/01 Charitable fundraising to support athletic activities, facilities and events		

U.S. Application/ Registration No.	NONE	Application Date	NONE
Registration Date	NONE		
Word Mark	DUKE		
Goods/Services	Used as a house mark and as a trademark to identify a wide range of products sold and licensed by Duke University, in virtually all areas of endeavor, to men, women and children of all ages. For purposes of this proceeding, the products can generally be defined as consumer goods, and those asserted herein are the following: # Cosmetics, skin care products, personal bathing and grooming products, and toiletries (including, by way of example, body and nail art, decorative transfers,		

	<p>face paint, glitter, personal care packs comprising containers with toiletries therein, and toothbrushes); # Clothing of all types for babies, children, men and women (including, by way of example, belts and suspenders; bibs; bottoms including pants, shorts, and other bottoms, separately or in combination with tops; footwear; hairwear; headwear and neckwear; loungewear, nightwear and sleepwear; outerwear including blazers, coats, foul weather gear, jackets, sweatshirts, and other outerwear; tops including shirts, blouses, and other tops; undergarments and other lingerie; and specialty wear including athletic apparel, bike shorts, exercise wear, performance wear, skiwear, swimwear, and uniforms); # Clothing accessories and hair accessories; # Fabric for sewing; # Personal accessories (including, by way of example, hair holders and hair ornaments, key holders, sunglasses, and wallets); # Jewelry for men and women (including both costume jewelry and jewelry of precious metal); # Time-keeping instruments (including clocks and watches); # Electronic and computer accessories (including, by way of example, data storage devices, earphones, mouse pads, protective storage for computers and computer accessories, speakers); # Computer application software (including, by way of example, web-based information and applications for use on common mobile platforms; and educational programs) # Containers for personal and household items, and luggage (including, by way of example, backpacks; bags and cases adapted to hold electronic devices and computers; baskets; containers to hold personal care, skin care, grooming, and cosmetic items; coolers; duffels; piggy banks; sport bags; suitcases; totes); luggage tags # Beverageware, barware, insulating covers for beverage containers, coolers, decanters, flasks, drinkware; feeding wares for children; kitchenware; kitchen, cooking and grilling accessories; picnicware; tableware # Foods and beverages # Housewares and household furnishings (including by way of example candles, cushions, curtains, mats, picture frames, rugs, and trash cans); bedding and pillows; bathware (the latter including, by way of example, towels, washcloths, bath mats, shower curtains, toiletry holders, and bathing accessories); # Décor and ornaments; holiday ornaments and holiday décor; household ornaments; sports ornaments; decorative items for home, vehicle, business and garden adornment; banners, decals, flags and pennants; # Automobile and other vehicular decorative accessories (including by way of example banners bumper stickers, decals, flags, fins, key holders, license plate holders; mirror ornaments, ornamental license plates, pennants); # Writing instruments and paper goods (the latter including by way of example artworks of paper; books; cards; memo pads, paper napkins; paper plates; wrapping paper; collectibles) # Desk and office accessories (including by way of example business card holders, desk sets, memo pad holders, pencil holders, paper clip holders, paper weights, photo albums); # Furniture (including by way of example chairs, canopies, stools, and tables); # Lighting and accessories therefor (including by way of example lamps, lampshades, and flashlights); # Games and toys (including, by way of example, action figures, dolls, stuffed and plush toys, board games, card games, electronic and video games, tabletop games, outdoor games and equipment for such games; toy sporting equipment); game tables; # Sports equipment and sports accessories (including by way of example balls, ball markers, bats, carabiners, golf bags, golf headcovers, helmets, sports bags, tees, sports towels, sports umbrellas); bicycles and bicycle accessories (the latter including by way of example bicycle clothing, gear, and bags); # Sports memorabilia; university memorabilia; fanware; gift items intended to remind recipients of Duke University or some aspect of the services and entertainment provided by Duke University and its affiliates # Pet</p>
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	accessories (including by way of example apparel, costumes, restraint devices, and toys); # Pre-recorded musical, audio, and audiovisual works; cell phone ringtones; streaming live musical performances; streaming live athletic performances; streaming live educational programs and performances # Publications in the nature of books, booklets, brochures, magazines, periodicals, and documents, and information provided via the Internet, such publications relating to Duke University, its programs, research, staff, students, fans, and alumni, and/or concerning subjects of general human interest and/or of interest to students, professors, alumni and/or fans, and/or concerning subjects of interest to professionals in fields of study taught at Duke University; # And, all products listed in the trademark registrations recited in the Notice of Opposition.
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U.S. Application/ Registration No.	NONE	Application Date	NONE
Registration Date	NONE		
Word Mark	DUKE		
Goods/Services	<p>Used as a house mark and as a service mark to identify a wide range of services provided and licensed by Duke University, including all services typically provided by a major research university with an associated medical center, professional schools, top tier athletic teams, and trademark licensing program. For purposes of this proceeding, those asserted herein are the following: # Charitable and fundraising services; # Educational services for men, women and children (including the provision of classes, conferences, courses, seminars, tutoring, training, and workshops, both in traditional formats and via broadcast and online media, at the pre- university, university, graduate and post-graduate levels); # Educational and training services in the fields of art, business, economics, education, engineering, environmental studies, foreign languages, health and wellness, law, liberal arts, mathematics, medicine, military science, music, nursing, public policy, religion, science, social sciences, sports, technology, the performance arts, and auxiliary skills necessary to success in life and in a career; # Entertainment services, namely sponsoring athletic events, artistic performances, and cultural affairs; organizing and conducting collegiate and pre-collegiate sport competitions and athletic events; # Museums and museum services; # Musical and theatrical performances, training, and education; # Personal care services in the nature of spa, gym, salon and barber shop services; # Photography services; # Providing athletic performances, providing and/or sponsoring athletic teams and clubs, and engaging in athletic competitions in the fields of badminton, baseball, basketball, crew, cross country, cycling, dancing, diving, endurance events, equestrian, fencing, field hockey, football, golf, ice hockey, ice skating, lacrosse, martial arts, motor sports (including automobile racing), racing, racquetball, rowing, rugby, sailing, skiing, soccer, softball, snowboard, swimming, table tennis, tennis, track and field, ultimate Frisbee, volleyball, water polo, and wrestling, and in all sports regulated by the NCAA; # Providing counseling services, hospital services, medical and nursing services, diet and fitness services, mental and physical health and wellness services, psychological and psychiatric services, pharmaceutical services; # Providing, on-line and through live, broadcast and pre- recorded media, information relating to Duke University, its programs, research, employees, students, fans, and alumni, information concerning subjects of general human interest, information of interest to students, employees, alumni and/or fans, and information concerning subjects of interest to professionals in fields of study taught at Duke University;</p>		

	<p># Publishing services; # Religious instruction, teaching, counseling and services including divinity school services and church services; # Research in the fields of art, business, economics, education, engineering, environmental studies, foreign languages, law, liberal arts, health and wellness, mathematics, medicine, music, nursing, public policy, religion, science, social sciences, sports, technology, the performance arts, and auxiliary skills necessary to success in a career, and in all fields in which Duke University provides educational services; # Restaurant services, hospitality services, bar services, provision of food and beverages, and supervision of third-party provision of food and beverages; # Sports camp, sports club, sports medicine, sports rehabilitation, and sports training services; # Retail store and retail sales services, from fixed premises and online and via catalog and telephone and mail-order, featuring a wide variety of consumer goods of others; retail store and retail sales services, from fixed premises and online and via catalog and telephone and mail-order, featuring a wide variety of goods bearing the marks of Duke University; retail store and retail sales services, from fixed premises and online and via catalog and telephone and mail-order, featuring those goods identified in the list of common law goods recited in this Notice of Opposition, as well as soaps and other bath and grooming products # Retail store services in the fields of personal care, grooming, cosmetics and health and wellness; # And, all services listed in the service mark registrations recited in the Notice of Opposition.</p>
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U.S. Application/ Registration No.	NONE	Application Date	NONE
Registration Date	NONE		
Word Mark	DUKE UNIVERSITY		
Goods/Services	Substantially the same goods as provided herein with respect to DUKE; substantially the same entertainment, education, health, medical and sports related services as provided herein with respect to DUKE		

U.S. Application/ Registration No.	NONE	Application Date	NONE
Registration Date	NONE		
Word Mark	The letter #D# in plain form, and in a wide variety of designs including but not limited to those depicted in the Notice of Opposition and the registrations cited therein		
Goods/Services	Substantially the same goods as provided herein with respect to DUKE; substantially the same entertainment, education, health, medical and sports related services as provided herein with respect to DUKE		

U.S. Application/ Registration No.	NONE	Application Date	NONE
Registration Date	NONE		

Design Mark	
Goods/Services	Substantially the same goods as provided herein with respect to DUKE; substantially the same entertainment, education, health, and sports related services as provided herein with respect to DUKE

U.S. Application/ Registration No.	NONE	Application Date	NONE
Registration Date	NONE		
Word Mark	IRON DUKE		
Goods/Services	Clothing in the nature of footwear, head wear, tops, bottoms, foul weather gear, and athletic apparel; sports equipment and accessories; decals and other items indicating affiliation with an athletic support organization; membership services related to an athletic support organization		

U.S. Application/ Registration No.	NONE	Application Date	NONE
Registration Date	NONE		
Word Mark	IRON DUKES		
Goods/Services	Clothing in the nature of footwear, head wear, tops, bottoms, foul weather gear, and athletic apparel; sports equipment and accessories; decals and other items indicating affiliation with an athletic support organization; membership services related to an athletic support organization; operating a website with links to purchase a variety of consumer goods; operating a website with links to purchase prerecorded music and audiovisual works, and to obtain access to streaming entertainment in the nature of musical and sports performances		

U.S. Application/ Registration No.	NONE	Application Date	NONE
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Registration Date	NONE
Word Mark	DU
Goods/Services	A wide range of education and entertainment services, and retail sales services including but not limited to university services, sports services including providing entertainment via athletic teams including but not limited to basketball and football teams, other entertainment services, medical and health services; and for products including but not limited to clothing and accessories

Attachments	74208935#TMSN.png(bytes) 74208934#TMSN.png(bytes) 74208328#TMSN.png(bytes) 74209061#TMSN.png(bytes) 74209060#TMSN.png(bytes) 74209067#TMSN.png(bytes) 74208924#TMSN.png(bytes) 74209059#TMSN.png(bytes) 74209062#TMSN.png(bytes) 74693793#TMSN.png(bytes) 75976141#TMSN.png(bytes) 75976140#TMSN.png(bytes) 75078947#TMSN.png(bytes) 74694684#TMSN.png(bytes) 75565065#TMSN.png(bytes) 75347293#TMSN.png(bytes) 75892149#TMSN.png(bytes) 76465255#TMSN.png(bytes) 78674480#TMSN.png(bytes) 77700792#TMSN.png(bytes) 78944344#TMSN.png(bytes) 77409399#TMSN.png(bytes) 85049335#TMSN.png(bytes) 86445421#TMSN.png(bytes) Duke D Mark.jpg 201607011 NOO - Duke.pdf(298743 bytes) Combined Exhibits 1-28.pdf(3497683 bytes)
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Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by Facsimile or email (by agreement only) on this date.

Signature	/smh/
Name	Sofia M. Hernandez
Date	07/11/2016

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Before the Trademark Trial and Appeal Board

IN THE MATTER OF Trademark Application of CDS-IP, S.A.
For Registration of D stylized design mark, Serial No. 86693375
Published for Opposition in the Official Gazette on January 12, 2016
Goods/Services Opposed: All
&

IN THE MATTER OF Trademark Application of CDS-IP, S.A.
For Registration of D stylized design mark, Serial No. 86775993
Published for Opposition in the Official Gazette on March 29, 2016
Goods/Services Opposed: All

Duke University, Plaintiff-Opposer vs. CDS-IP, S.A., Defendant-Applicant	OPPOSITION TO REGISTRATION OF MARKS
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Attorney Reference: DUKU9424 & DUKU9424-b

Duke University, a corporation of the State of North Carolina, with a principal place of business in Durham, North Carolina and business address at Office of University Counsel, Duke University, Durham, North Carolina, believes that it will be damaged by registration of the marks shown in the above-identified applications (hereafter referred to as “Applicant’s Applications”), and hereby opposes same.

Opposer brings its claims pursuant to Trademark Act Section 2(d), 15 U.S.C. § 1052(d) and Trademark Act Section 2(a), 15 U.S.C. § 1052(a). The grounds for opposition are more particularly set out as follows. Headings are interposed for convenience; all allegations are deemed incorporated into each ground for opposition, as though realleged for each.

GENERAL ALLEGATIONS

1. Opposer is a university which provides, among other things, a first-class academic program, a

world-renowned teaching hospital and medical facilities, and a well-known Division 1 athletic program (including a famous basketball program), and whose sports programs are followed by sports fans around the country.

2. Opposer uses and licenses others to use, in connection with goods and services, both Opposer's famous mark DUKE and the mark D. The latter is used in various forms and particularly in a design form known as the "Iron Duke" D that combines the letter "I" with the letter "D" in an overall "D" shape. The "D" marks used by Opposer remind viewers of Opposer and of Opposer's famous mark DUKE. These marks, all more particularly identified below, are known collectively as Opposer's Marks; the "D" marks are known collectively as Opposer's D Marks.
3. Opposer commenced use of Opposer's Marks, including Opposer's D Marks, in the 1920's and has continued and expanded use in interstate and foreign commerce, both directly and through licensees, continuously since that time.
4. Opposer uses Opposer's Marks, including Opposer's D Marks in connection with (among other things) its university activities, education, medical programs, and sports programs, as well as for an extensive line of sports apparel, sports equipment, sports shoes, sports bags, and other related items, and the marks are viewed by millions of fans each year, all of which, together with Opposer's lengthy use of Opposer's Marks, creates and reinforces a link between Opposer and Opposer's Marks, including Opposer's D Marks, in the minds of the public.
5. Opposer's Marks include each mark set out in the table below, which lists some of the United States Trademark Registrations owned by Opposer covering marks that include the letter D, the term DUKE, or variants or formatives thereof that remind viewers and customers of Opposer. Each of the registrations listed below was lawfully issued, and is valid and subsisting. Copies of the electronic records provided by the United States Trademark Office for each registration are

attached hereto as Exhibits 1 through 27 and are incorporated herein by reference and for purpose of reliance.

Exh.	Registration #.	Issue Date	Mark
1	1,701,827	07/21/92	DUKE UNIVERSITY
2	1,702,350	07/21/92	DUKE UNIVERSITY STORES
3	1,702,830	07/28/92	DUKE UNIVERSITY
4	1,703,029	07/28/92	D and Design
5	1,703,267	07/28/92	Flaming Devil with D Design
6	1,703,433	07/28/92	Devil with D Design
7	1,707,766	08/18/92	D
8	1,713,473	09/08/92	UNIVERSITAS DUKIANA ERUDITIO ET RELIGIO
9	1,724,999	10/20/92	D U ERUDITIO ET RELIGIO and Design
10	1,737,968	12/08/92	D with Devil Head Design
11	2,026,492	12/31/96	D[U]KE with Stylized "U"
12	2,082,553	07/22/97	D[U]KE with Stylized "U"
13	2,092,314	08/26/97	D[U]KE with Stylized "U"
14	2,100,928	09/30/97	CAMERON CRAZIE D
15	2,122,067	12/16/97	D[U]KE with Stylized "U"
16	2,203,764	11/17/98	DUKE CENTER FOR LIVING
17	2,307,324	01/11/00	D
18	2,317,603	02/15/00	DUKE
19	2,415,817	12/26/00	DUKECARD
20	2,820,854	03/09/04	D
21	3,157,222	10/17/06	DUKIE
22	3,780,204	04/27/10	DUKEENGAGE
23	3,878,213	11/16/10	DUKE and Design
24	3,925,905	03/01/11	D
25	3,936,096	03/29/11	DUKE
26	3,995,015	07/12/11	DUKE UNIVERSITY ATHLETICS EXCELLENCE LOYALTY DIVERSITY EDUCATION ACCOUNTABILITY SPORTSMANSHIP COMMITMENT INTEGRITY RESPECT D
27	4,760,204	06/23/15	IRON DUKES

6. Opposer's Marks also include the common law marks listed on Exhibit 28 attached hereto and incorporated herein by reference and, to the extent not already fully set out in the foregoing table

and in the exhibit of common law marks, the registrations and common law marks listed in the ESTTA Receipt for the filing of the Notice of Opposition, all of which are incorporated herein by reference.

7. Opposer's Marks are used in a wide variety of fonts and colors, and are not in general limited by appearance, although appearance is an additional feature of certain marks.
8. Applicant's claims no use of its marks and its priority is based on the filing date of two foreign applications, in July and October of 2015. Applicant's own applications each were filed in 2015.
9. Opposer's priority with respect to each of Opposer's Marks asserted in this Opposition, including Opposer's D Marks, for all of the uses identified therewith, precedes the foreign filing dates of Applicant's Applications and any other priority date on which Applicant might be entitled to rely in these proceedings.
10. Applicant has not incorporated limitations on size of lettering, coloration of mark, or on themes or images that can be used in association with the marks it seeks to register. Applicant's marks could therefore be used, as presumptively will be the case based on the nature of Applicant's Applications, in color configurations that make the mark appear to be a single "D" letter or that make the mark appear to be the letters "I" and "D" (very similar to Opposer's Iron Duke D marks), and could be used in connection with themes and images associated with Opposer. If registered as currently proposed, Applicant's marks could presumptively be depicted and/or advertised in connection with Opposer's school colors, with collegiate teams and athletes, and/or with a devil or parts thereof reminiscent of Opposer's mascot; and the goods could presumptively be further marketed in association with images depicting, and themes associated with, colleges and collegiate programs,

including images and themes evocative of Opposer and Opposer's athletic teams, along with other indicia evocative of Opposer and Opposer's goods.

11. Moreover, Applicant has not incorporated limitations on channels of trade or on markets, or adopted other limitations in an attempt to avoid perceptions of a connection, or to minimize the likelihood of confusion. The absence of such limitations further enhances both the likelihood of a presumed connection and the likelihood of confusion. Applicant's goods under the marks thus presumptively could be identified as "licensed" (without specification as to the licensor) and offered in commerce to the hundreds of thousands of persons who interact every year with Duke University, its sports teams and events, and its medical centers, and who seek sports apparel, sports equipment, and related items affiliated with Opposer; and the goods could be targeted to Duke University students, alumni, and fans. The marks sought to be registered, used in connection with goods closely related to those provided under Opposer's Marks, presumptively would be targeted at, and marketed through channels of commerce directed to, Opposer's athletes and fans, as well as Opposer's alumni, employees, patients, students, potential students, and parents of students past, present, or future. The goods further could be offered for sale on or adjacent to Duke University's campuses and at or adjacent to Duke's main campus, as well as its other campuses in North Carolina and in other states. It must be presumed that the market and the channels of trade through which Applicant will offer its goods in connection with the marks sought to be registered are identical and closely related to those that are currently used by Opposer and that have been used by Opposer since long prior to any priority date to which Applicant might be entitled.

**PRIORITY AND LIKELIHOOD OF CONFUSION
TRADEMARK ACT SECTION 2(d), 15 U.S.C. § 1052(d)**

12. Applicant seeks registration of two marks that consist of a stylized “D” design, pursuant to

Section 44(e) of the Trademark Act (15 USC § 1126(e)) in two applications:

a. U.S. Application Serial No. 86693375 for use in connection with:

- i. “clothing, namely, shirts, tops, sweatshirts, sweaters, sweatsuits, pants, shorts, jackets, skirts, socks, rainwear, swimwear, and underwear; headwear; footwear; golf shoes; athletic shoes” in International Class 25; and
- ii. “golf clubs; golf gloves; golf tees; golf tee bags; golf tee holders; golf practice mats; golf practice nets; golf club covers; golf club head covers; golf ball markers; golf ball spotters; golf ball retrievers; golf bags; golf bag covers; stands for golf bags; divot repair tools; putting practice mats; practice golf holes; practice golf balls; golf swing alignment apparatus; golf balls; squash balls; tennis balls; table tennis balls; racquetballs; paddle balls; footballs; basketballs; volleyballs; netballs; softballs; baseballs; balls for games; shuttlecocks; bats for games; badminton rackets; tennis rackets; squash rackets; racquetball rackets; paddle rackets; rackets for ball games; table tennis bats; bags shaped to contain rackets for squash, badminton, tennis, racquetball, paddle or table tennis bats; grip bands for squash, badminton, tennis, racquetball and paddle rackets and table tennis bats; head covers for squash, badminton, tennis, racquetball and paddle rackets and table tennis bats; strings for squash, badminton, racquetball and tennis rackets; strings for rackets for ball games; string protectors for squash, badminton, racquetball and tennis rackets; vibration dampeners for tennis, squash and racquetball rackets; nets for tennis, table tennis, paddle, badminton and volleyball; nets for games; basketball boards; basketball and netball hoops, nets for basketball and netball hoops; tennis ball throwing machines; tapes for wrapping squash, badminton, racquetball, paddle and tennis racket handle grips; tapes for wrapping racket and bat grips; tables for playing table tennis; racquetball gloves; toys, games and playthings, namely, multiple activity toys, toy bats and balls, toy rackets, toy golf clubs, and toy bows and arrow; flying discs” in International Class 28; and

b. U.S. Application Serial No. 86775993 for use in connection with:

- i. “leather and imitations of leather; animal skins and hides; leather thongs and straps; clothing, covers, collars, leashes and leads for animals; trunks and travelling bags; luggage and suitcases; luggage tags, luggage straps; haversacks, backpacks, rucksacks, knapsacks; all-purpose carrying bags; athletic bags; carry-all bags; shoulder bags; briefcase-type portfolios; wallets,

purses, leather pouches; business card holders and card wallets; leather shoulder belts and straps; umbrellas, umbrella seats, parasols, walking sticks, canes, whips; horse tack, namely, bridles, reins, leads, bits, stirrup leathers, girth straps, lunge lines, halters, harnesses and saddlery; baby carriers worn on the body; frames for handbags; bandoliers; leather for furniture; handles for suitcases and walking sticks; parts and fittings for all the aforesaid goods” in International Class 18.

13. Opposer, directly and through licensees, has used Opposer’s Marks in commerce on or in connection with identical and/or similar goods, and closely associated services, including but not limited to the following:

apparel, including shirts, sweatshirts, sweatsuits, pants, shorts, jackets, swimwear, skirts, socks, headwear, and athletic shoes; a wide variety of sporting equipment, including basketballs, footballs, golf equipment, such as golf balls, golf tees, golf ball markers and golf club covers, and various other types of sports equipment; luggage and bags, such as athletic bags, purses, backpacks; leather and imitation leather goods such as belts, briefcase-type portfolios, suitcases, and wallets; umbrellas and collars.

14. Opposer continues to use Opposer’s Marks in commerce in connection with goods and services that are closely related to those identified in Applicant’s Applications. Opposer is identified by Opposer’s Marks in connection with these goods and services.
15. Applicant has not alleged any earlier priority than the filing date of its United Kingdom applications, (i.e., July 13, 2015 and October 2, 2015) with respect to any of its services.
16. Opposer uses Opposer’s Marks as aforesaid and as set out in the exhibits, and in particular, uses Opposer’s Marks for goods that are identical and/or closely related to those for which Applicant seeks registration, as well as for associated goods and services.
17. By reason of its longstanding use of Opposer’s Marks, including Opposer’s D Marks, which commenced well prior to the priority date of Applicant’s Applications and any date of use on which Applicant is entitled to rely, and by reason of its pleaded registrations, Opposer has priority with respect to use of Opposer’s Marks over Applicant and over Applicant’s uses and

intended uses of the marks that are the subject of Applicant's Applications. Opposer's priority extends to and includes priority as to the goods for which Applicant seeks registration.

18. Applicant's marks, used as identified in Applicant's Applications, are likely to cause confusion and mistake with respect to Opposer's Marks and their use by Opposer.

**FALSE SUGGESTION OF A CONNECTION
TRADEMARK ACT SECTION 2(a), 15 U.S.C. § 1052(a)**

19. Opposer's Marks, including its D Marks (including Opposer's Iron Duke D mark), function not only as a trademark and service mark, but also as house marks of Opposer, are recognized as such by consumers, and have been so recognized since long prior to the earliest priority date on which Applicant can rely.
20. Opposer's Marks serve to identify, and as an identity of, Opposer, such identification beginning prior to the filing date of Applicant's Applications, prior to any first date of use of Applicant's marks that Applicant is entitled to assert, and prior to any other relevant priority date to which Applicant might be entitled with respect to the marks for which registration is sought, and continuing to the present time.
21. Opposer's provision and promotion of its goods and services to the public under Opposer's Marks for over three-quarters of a century has caused the public to associate those marks and the goods and services provided thereunder with Opposer, such association beginning long prior to the filing date of Applicant's Applications, prior to any first date of use of Applicant's marks that Applicant is entitled to assert, and prior to any other relevant priority date to which Applicant might be entitled with respect to the marks for which registration is sought, and continuing to the present time. Through those efforts Opposer now has built substantial goodwill in Opposer's Marks that inures to the benefit of Opposer.

22. Opposer's fame and excellent and well-known reputation, and the close and long-time association of Opposer's Marks with Opposer are such that a connection with Opposer and Opposer's goods and services is likely to be presumed when the marks Applicant seeks to register are used in connection with the goods identified in the applications.
23. The presumption of a connection is particularly likely and is enhanced because Applicant seeks to register and use its marks in a substantially unrestricted manner, presumptively in the same channels of trade, presumptively targeted to the same markets, and presumptively colored and otherwise configured and advertised so as to maximize the likelihood that consumers will wrongly connect Applicant's marks, used in connection with Applicant's identified goods, with Opposer and Opposer's goods and services offered under Opposer's Marks, including its well-known D Marks and in particular its Iron Duke D mark.
24. When used as Applicant would be entitled to use its marks if registration were granted, unrestricted as to color, and presumptively in the same channels of trade, presumptively targeted to the same markets, and presumptively colored and otherwise configured to create a mistaken belief as to the affiliation of Applicant's goods. Applicant's marks would be recognized as the same or as a close approximation of Opposer's previously used name and identity.
25. Consumers seeking to purchase goods and services identified with Opposer are familiar with Opposer's Marks, associate those marks with Opposer, know that third parties are licensed to use Opposer's Marks, assume that products bearing Opposer's Marks are duly authorized for sale by Opposer or are otherwise connected with Opposer, and rely on their presumption that a connection exists between Opposer and its licensees and other sources of goods and services branded with Opposer's Marks, to inform their purchasing decisions.

26. Applicant's marks, as sought to be registered, would lead consumers to draw false conclusions as to a connection of Applicant's goods with Opposer's goods, under circumstances where such a conclusion will be material to the consumer's deliberations regarding purchase of the goods.
27. As alleged above, despite Applicant's claim of right to use the "D" marks it seeks to register, in connection with goods similar or identical to those offered by Opposer, Applicant is not affiliated with, licensed by, or otherwise associated with Opposer. Opposer is not connected with the goods that Applicant provides, offers, or intends to offer under the marks sought to be registered.
28. Nonetheless, Opposer's Marks, including Opposer's DUKE and Iron Duke D marks, are of sufficient regard and reputation that when Applicant's marks are used on or in connection with the goods identified in Applicant's Applications, a connection with Opposer would be presumed and Applicant's marks would be recognized as connected with Opposer, uniquely and unmistakably pointing to Opposer.
29. Consumers are likely to be deceived as to the connection, which does not in fact exist, and make purchasing decisions based on the false suggestion of a connection created by Applicant and its marks.
30. Registration and/or use of Applicant's marks as sought in Applicant's Applications are likely to interfere with Opposer's use and exploitation of Opposer's Marks, and to falsely suggest a connection with Opposer.

CONCLUSION

31. In view of the foregoing and the similarity of Opposer's prior-used and not abandoned Opposer's Marks to Applicant's applied-for marks, the similarities between the use made by

Opposer and its licensees of Opposer's Marks and the use of Applicant's marks by Applicant as identified in Applicant's Applications and shown through Applicant's use and actual and potential channels of commerce, it is alleged that Applicant's marks as currently applied for, identified, and described, so resemble Opposer's Marks as to be likely to cause confusion and to cause mistake. Moreover, registration and/or use of Applicant's marks as sought in Applicant's Applications is likely to interfere with Opposer's use and exploitation of Opposer's Marks, to deceptively and falsely suggest a connection with Opposer.

WHEREFORE, Opposer requests that Applicant's Applications be denied. The Office is authorized to charge any additional fees associated with the filing of this Notice of Opposition to our deposit account 15-0490.

This the 11th day of July, 2016.

OLIVE & OLIVE, P.A.

Attorneys for Opposer

/Susan Freya Olive/

Susan Freya Olive

N.C. Bar No. 7252

/A. Jose Cortina/

N.C. Bar No. 28733

P. O. Box 2049

Durham, North Carolina 27702

Telephone: (919) 683-5514

Email: emailboxTTAB@oliveandolive.com

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy of the Notice of Opposition filed herein, together with any and all attachments thereto, has been served upon Applicant by emailing a copy of the same to Applicant's counsel of record, as agreed by said counsel for service of this document, at the following email address:

< trademarks@wnj.com >

with a courtesy copy to the following email address: JScott@wnj.com

on this the 11th day of July, 2016.

/Sofia M. Hernandez/

Sofia M. Hernandez
Olive & Olive, P.A.
P. O. Box 2049
Durham, North Carolina 27702
Telephone: (919) 683-5514
Email: emailboxTTAB@oliveandolive.com

Duke University's Notice of Opposition

Exhibit 1:

TSDR website printout of Reg. No. 1,701,827

**Duke
University**

Generated on: This page was generated by TSDR on 2016-04-12 14:27:14 EDT

Mark: DUKE UNIVERSITY



US Serial Number: 74208935

Application Filing Date: Oct. 01, 1991

US Registration Number: 1701827

Registration Date: Jul. 21, 1992

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Jun. 26, 2012

Publication Date: Apr. 28, 1992

Mark Information

Mark Literal Elements: DUKE UNIVERSITY

Standard Character Claim: No

Mark Drawing Type: 5 - AN ILLUSTRATION DRAWING WITH WORD(S)/LETTER(S)/NUMBER(S) INSTYLIZED FORM

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (()) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *.* identify additional (new) wording in the goods/services.

For: pillows

International Class(es): 020 - Primary Class

U.S Class(es): 032

Class Status: ACTIVE

Basis: 1(a)

First Use: 1925

Use in Commerce: 1965

For: cups

International Class(es): 021 - Primary Class

U.S Class(es): 002, 030

Class Status: ACTIVE

Basis: 1(a)

First Use: 1965

Use in Commerce: 1965

For: shirts

International Class(es): 025 - Primary Class

U.S Class(es): 039

Class Status: ACTIVE

Basis: 1(a)

First Use: 1925

Use in Commerce: 1965

Basis Information (Case Level)

Filed Use: Yes

Filed ITU: No

Filed 44D: No

Filed 44E: No

Filed 66A: No

Filed No Basis: No

Currently Use: Yes

Currently ITU: No

Currently 44D: No

Currently 44E: No

Currently 66A: No

Currently No Basis: No

Amended Use: No

Amended ITU: No

Amended 44D: No

Amended 44E: No

Current Owner(s) Information

Owner Name: Duke University

Owner Address: 310 Blackwell Street, 4th Floor
Office of Counsel
Durham, NORTH CAROLINA 27701
UNITED STATES

Legal Entity Type: NON-PROFIT CORPORATION

State or Country NORTH CAROLINA
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Susan Freya Olive

Docket Number: DUKU0412

Attorney Primary emailboxtm@oliveandolive.com
Email Address:

Attorney Email Yes
Authorized:

Correspondent

Correspondent Susan Freya Olive
Name/Address: Olive & Olive, P.A.
500 Memorial Street
Durham, NORTH CAROLINA 27701
UNITED STATES

Correspondent e- emailboxtm@oliveandolive.com
mail:

Correspondent e- Yes
mail Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jun. 26, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Jun. 26, 2012	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	73376
Jun. 26, 2012	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	73376
Jun. 25, 2012	TEAS SECTION 8 & 9 RECEIVED	
Jan. 30, 2008	CASE FILE IN TICRS	
Oct. 11, 2002	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Oct. 11, 2002	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jul. 18, 2002	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Jul. 18, 2002	PAPER RECEIVED	
Oct. 08, 1998	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Jul. 21, 1998	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Jul. 21, 1992	REGISTERED-PRINCIPAL REGISTER	
Apr. 28, 1992	PUBLISHED FOR OPPOSITION	
Mar. 27, 1992	NOTICE OF PUBLICATION	
Dec. 10, 1991	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 09, 1991	ASSIGNED TO EXAMINER	67604

Maintenance Filings or Post Registration Information

Affidavit of Section 8 - Accepted
Continued Use:

Affidavit of Section 15 - Accepted
Incontestability:

Renewal Date: Jul. 21, 2012

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Jun. 26, 2012

Duke University's Notice of Opposition

Exhibit 2:

TSDR website printout of Reg. No. 1,702,350

DUKE UNIVERSITY STORES

Generated on: This page was generated by TSDR on 2016-04-12 14:28:16 EDT

Mark: DUKE UNIVERSITY STORES

US Serial Number: 74208327

Application Filing Date: Sep. 30, 1991

US Registration Number: 1702350

Registration Date: Jul. 21, 1992

Register: Principal

Mark Type: Service Mark

Status: The registration has been renewed.

Status Date: Jun. 26, 2012

Publication Date: Apr. 28, 1992

Mark Information

Mark Literal Elements: DUKE UNIVERSITY STORES

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Disclaimer: "STORES"

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (()) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *.* identify additional (new) wording in the goods/services.

For: retail store and mail order services in the field of clothing, furniture, toys, games, sports equipment, school and office supplies, educational materials, computers, books, photography, housewares, towels, floor coverings, jewelry, ornaments, stationery, prints, camping equipment, pennants, decals, memorabilia, items bearing Duke University trademarks, and items depicting Duke University or its students, faculty, or campus life

International Class(es): 042 - Primary Class

U.S Class(es): 101

Class Status: ACTIVE

Basis: 1(a)

First Use: 1940

Use in Commerce: 1940

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Duke University

Owner Address: Office of Counsel
310 Blackwell Street, 4th Floor
Durham, NORTH CAROLINA 27701
UNITED STATES

Legal Entity Type: NONPROFIT CORPORATION

State or Country NORTH CAROLINA
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Susan Freya Olive

Docket Number: DUKU0410

Attorney Primary emailboxtm@oliveandolive.com
Email Address:

Attorney Email Yes
Authorized:

Correspondent

Correspondent Susan Freya Olive
Name/Address: OLIVE & OLIVE, P.A.
500 MEMORIAL STREET
DURHAM, NORTH CAROLINA 27701
UNITED STATES

Correspondent e-mail: emailboxtm@oliveandolive.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jun. 26, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Jun. 26, 2012	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	66607
Jun. 26, 2012	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	66607
Jun. 25, 2012	TEAS SECTION 8 & 9 RECEIVED	
Jan. 31, 2008	CASE FILE IN TICRS	
Jul. 05, 2002	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Jul. 05, 2002	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Apr. 29, 2002	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Apr. 29, 2002	PAPER RECEIVED	
Oct. 07, 1998	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Jul. 21, 1998	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Jul. 21, 1992	REGISTERED-PRINCIPAL REGISTER	
Apr. 28, 1992	PUBLISHED FOR OPPOSITION	
Mar. 27, 1992	NOTICE OF PUBLICATION	
Dec. 30, 1991	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 12, 1991	EXAMINER'S AMENDMENT MAILED	
Dec. 09, 1991	ASSIGNED TO EXAMINER	67604

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Jul. 21, 2012

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Jun. 26, 2012

Duke University's Notice of Opposition

Exhibit 3:

TSDR website printout of Reg. No. 1,702,830

Duke University

Generated on: This page was generated by TSDR on 2016-04-12 14:28:53 EDT

Mark: DUKE UNIVERSITY

Duke University

US Serial Number: 74208934

Application Filing Date: Oct. 01, 1991

US Registration Number: 1702830

Registration Date: Jul. 28, 1992

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: May 02, 2012

Publication Date: May 05, 1992

Mark Information

Mark Literal Elements: DUKE UNIVERSITY

Standard Character Claim: No

Mark Drawing Type: 5 - AN ILLUSTRATION DRAWING WITH WORD(S) /LETTER(S)/ NUMBER(S) INSTYLIZED FORM

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (()) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: key rings made primarily of metal and metal license plates

International Class(es): 006 - Primary Class

U.S Class(es): 013, 025

Class Status: ACTIVE

Basis: 1(a)

First Use: 1965

Use in Commerce: 1965

For: business card holders, decals, postcards, notepaper, envelopes, stationery, notebooks, loose leaf binders, pens, pencils, pen and pencil sets and paper bags

International Class(es): 016 - Primary Class

U.S Class(es): 002, 037, 038

Class Status: ACTIVE

Basis: 1(a)

First Use: 1925

Use in Commerce: 1965

For: trunks for traveling, travel bags, and toiletry cases sold empty

International Class(es): 018 - Primary Class

U.S Class(es): 002, 003

Class Status: ACTIVE

Basis: 1(a)

First Use: 1925

Use in Commerce: 1965

For: tablecloths not of paper, blankets, and cloth flags

International Class(es): 024 - Primary Class

U.S Class(es): 032, 042, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: 1925

Use in Commerce: 1965

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Duke University

Owner Address: 310 Blackwell Street
4th Floor
Durham, NORTH CAROLINA UNITED STATES 27701

Legal Entity Type: NON-PROFIT CORPORATION

State or Country: NORTH CAROLINA
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Susan Freya Olive

Docket Number: DUKU0408

Attorney Primary
Email Address: emailboxtm@oliveandolive.com

Attorney Email: Yes
Authorized:

Correspondent

Correspondent
Name/Address: Susan Freya Olive
OLIVE & OLIVE, P.A.
500 MEMORIAL STREET
DURHAM, NORTH CAROLINA UNITED STATES 27701

Correspondent e-
mail: emailboxtm@oliveandolive.com

Correspondent e-
mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
May 02, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
May 02, 2012	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	70132
May 02, 2012	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	70132
May 02, 2012	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	70132
Apr. 13, 2012	TEAS SECTION 8 & 9 RECEIVED	
Feb. 08, 2008	CASE FILE IN TICRS	
Oct. 17, 2002	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Oct. 17, 2002	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jul. 25, 2002	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Jul. 25, 2002	PAPER RECEIVED	
Oct. 09, 1998	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Jul. 24, 1998	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Jul. 28, 1992	REGISTERED-PRINCIPAL REGISTER	
May 05, 1992	PUBLISHED FOR OPPOSITION	
Apr. 03, 1992	NOTICE OF PUBLICATION	
Dec. 30, 1991	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 16, 1991	EXAMINER'S AMENDMENT MAILED	
Dec. 09, 1991	ASSIGNED TO EXAMINER	67604

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Jul. 28, 2012

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: May 02, 2012

Duke University's Notice of Opposition

Exhibit 4:
TSDR website printout of Reg. No. 1,703,029



Generated on: This page was generated by TSDR on 2016-04-12 14:29:25 EDT

Mark: D



US Serial Number: 74208328

Application Filing Date: Sep. 30, 1991

US Registration Number: 1703029

Registration Date: Jul. 28, 1992

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Apr. 16, 2012

Publication Date: May 05, 1992

Mark Information

Mark Literal Elements: D

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Design Search Code(s): 21.03.09 - Badminton nets; Basketball nets; Nets, badminton; Nets, tennis; Nets, volley ball; Volleyball nets; Tennis nets
21.03.20 - Basketballs
26.15.21 - Polygons that are completely or partially shaded
27.03.01 - Geometric figures forming letters, numerals or punctuation

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (()) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: decorative magnets

International Class(es): 009 - Primary Class

U.S Class(es): 014, 026

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 1971

Use in Commerce: Jun. 1971

For: jewelry; namely, necklaces, pins, cuff links and tie tacks

International Class(es): 014 - Primary Class

U.S Class(es): 028

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 1971

Use in Commerce: Jun. 1971

For: jackets and pants

International Class(es): 025 - Primary Class

U.S Class(es): 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 1971

Use in Commerce: Jun. 1971

Basis Information (Case Level)

Filed Use: Yes

Filed ITU: No

Filed 44D: No

Filed 44E: No

Filed 66A: No

Filed No Basis: No

Currently Use: Yes

Currently ITU: No

Currently 44D: No

Currently 44E: No

Currently 66A: No

Currently No Basis: No

Amended Use: No

Amended ITU: No

Amended 44D: No

Amended 44E: No

Current Owner(s) Information

Owner Name: Duke University

Owner Address: 310 Blackwell Street, 4th Floor
Office of Counsel
Durham, NORTH CAROLINA 27701
UNITED STATES

Legal Entity Type: NON-PROFIT CORPORATION

State or Country NORTH CAROLINA
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: VEDIA JONES-RICHARDSON

Docket Number: DUKU0404

Attorney Primary emailboxtm@oliveandolive.com
Email Address:

Attorney Email Yes
Authorized:

Correspondent

Correspondent VEDIA JONES-RICHARDSON
Name/Address: Olive & Olive, P.A.
500 MEMORIAL STREET
DURHAM, NORTH CAROLINA 27701
UNITED STATES

Correspondent e-mail: emailboxtm@oliveandolive.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Apr. 16, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Apr. 16, 2012	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	69471
Apr. 16, 2012	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	69471
Apr. 13, 2012	TEAS SECTION 8 & 9 RECEIVED	
Jul. 25, 2008	NOTICE OF DESIGN SEARCH CODE AND PSEUDO MARK MAILED	
Feb. 06, 2008	CASE FILE IN TICRS	
Oct. 05, 2002	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Oct. 05, 2002	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jul. 18, 2002	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Jul. 18, 2002	PAPER RECEIVED	
Oct. 14, 1998	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Jul. 24, 1998	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Jul. 28, 1992	REGISTERED-PRINCIPAL REGISTER	
May 05, 1992	PUBLISHED FOR OPPOSITION	
Apr. 03, 1992	NOTICE OF PUBLICATION	
Dec. 24, 1991	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 10, 1991	EXAMINER'S AMENDMENT MAILED	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Jul. 28, 2012

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Apr. 16, 2012

Duke University's Notice of Opposition

Exhibit 5:
TSDR website printout of Reg. No. 1,703,267

Devil with D design



Generated on: This page was generated by TSDR on 2016-04-12 14:30:00 EDT

Mark:



US Serial Number: 74209061

Application Filing Date: Sep. 30, 1991

US Registration Number: 1703267

Registration Date: Jul. 28, 1992

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Jun. 06, 2012

Publication Date: May 05, 1992

Mark Information

Mark Literal Elements: None

Standard Character Claim: No

Mark Drawing Type: 2 - AN ILLUSTRATION DRAWING WITHOUT ANY WORDS(S)/ LETTER(S)/NUMBER(S)

Design Search Code(s): 01.15.03 - Fire (flames), other than emanating from objects, words, numbers, fireplaces or candles; Flames, other than flames
04.01.04 - Devils; Horns, persons having

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *...* identify additional (new) wording in the goods/services.

For: paper identification tags and decals

International Class(es): 016 - Primary Class

U.S Class(es): 038

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 1982

Use in Commerce: Sep. 1982

For: plaques and chairs

International Class(es): 020 - Primary Class

U.S Class(es): 032

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 1982

Use in Commerce: Sep. 1982

For: pants, shirts and jackets

International Class(es): 025 - Primary Class

U.S Class(es): 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 1982

Use in Commerce: Sep. 1982

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Duke University

Owner Address: 310 Blackwell Street, 4th Floor
Office of Counsel
Durham, NORTH CAROLINA 27701
UNITED STATES

Legal Entity Type: NONPROFIT CORPORATION

State or Country Where Organized: NORTH CAROLINA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: VEDIA JONES-RICHARDSON

Docket Number: DUKU0600

Attorney Primary Email Address: emailboxtm@oliveandolive.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: VEDIA JONES-RICHARDSON
OLIVE & OLIVE PA
500 MEMORIAL STREET
DURHAM, NORTH CAROLINA 27701
UNITED STATES

Correspondent e-mail: emailboxtm@oliveandolive.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jun. 06, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Jun. 06, 2012	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	69471
Jun. 06, 2012	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	69471
Jun. 04, 2012	TEAS SECTION 8 & 9 RECEIVED	
Jul. 25, 2008	NOTICE OF DESIGN SEARCH CODE MAILED	
Feb. 05, 2008	CASE FILE IN TICRS	
Oct. 05, 2002	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Oct. 05, 2002	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jul. 18, 2002	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Jul. 18, 2002	PAPER RECEIVED	
Oct. 14, 1998	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Jul. 24, 1998	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Jul. 28, 1992	REGISTERED-PRINCIPAL REGISTER	
May 05, 1992	PUBLISHED FOR OPPOSITION	

Apr. 03, 1992 NOTICE OF PUBLICATION
Dec. 20, 1991 APPROVED FOR PUB - PRINCIPAL REGISTER
Dec. 10, 1991 EXAMINER'S AMENDMENT MAILED
Dec. 09, 1991 ASSIGNED TO EXAMINER

67568

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Jul. 28, 2012

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Jun. 06, 2012

Duke University's Notice of Opposition

Exhibit 6:
TSDR website printout of Reg. No. 1,703,433

Devil with D design



Generated on: This page was generated by TSDR on 2016-04-12 14:30:38 EDT

Mark:



US Serial Number: 74209060

Application Filing Date: Sep. 30, 1991

US Registration Number: 1703433

Registration Date: Jul. 28, 1992

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Mar. 31, 2012

Publication Date: May 05, 1992

Mark Information

Mark Literal Elements: None

Standard Character Claim: No

Mark Drawing Type: 2 - AN ILLUSTRATION DRAWING WITHOUT ANY WORDS(S)/ LETTER(S)/NUMBER(S)

Design Search Code(s): 04.01.04 - Horns, persons having; Devils

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *...* identify additional (new) wording in the goods/services.

For: pants and underwear

International Class(es): 025 - Primary Class

U.S Class(es): 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 1982

Use in Commerce: Sep. 1982

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Duke University

Owner Address: 310 Blackwell Street, 4th Floor
Office of Counsel
Durham, NORTH CAROLINA 27701
UNITED STATES

Legal Entity Type: NONPROFIT CORPORATION

State or Country NORTH CAROLINA
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Vedia Jone-Richardson

Docket Number: DUKU0409

Attorney Primary emailboxtm@oliveandolive.com
Email Address:

Attorney Email Yes
Authorized:

Correspondent

Correspondent Vedia Jone-Richardson
Name/Address: Olive & Olive, P.A.
500 MEMORIAL STREET
DURHAM, NORTH CAROLINA 27701
UNITED STATES

Correspondent e- emailboxtm@oliveandolive.com
mail:

Correspondent e- Yes
mail Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Mar. 31, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Mar. 31, 2012	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	69471
Mar. 31, 2012	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	69471
Feb. 17, 2012	TEAS SECTION 8 & 9 RECEIVED	
Feb. 14, 2008	CASE FILE IN TICRS	
Oct. 05, 2002	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Oct. 05, 2002	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jul. 18, 2002	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Jul. 18, 2002	PAPER RECEIVED	
Feb. 11, 1999	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Jul. 24, 1998	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Jul. 28, 1992	REGISTERED-PRINCIPAL REGISTER	
May 05, 1992	PUBLISHED FOR OPPOSITION	
Apr. 03, 1992	NOTICE OF PUBLICATION	
Dec. 12, 1991	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 09, 1991	ASSIGNED TO EXAMINER	67568

Maintenance Filings or Post Registration Information

Affidavit of Section 8 - Accepted
Continued Use:

Affidavit of Section 15 - Accepted
Incontestability:

Renewal Date: Jul. 28, 2012

TM Staff and Location Information

TM Staff Information - None

File Location

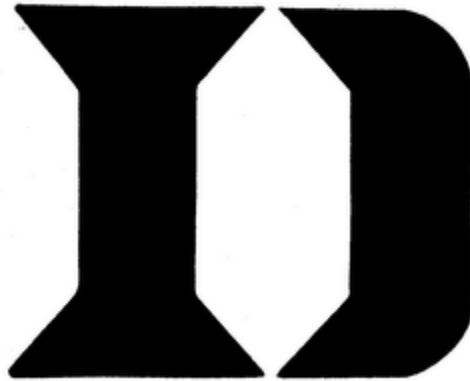
Current Location: GENERIC WEB UPDATE

Date in Location: Mar. 31, 2012

Duke University's Notice of Opposition

Exhibit 7:

TSDR website printout of Reg. No. 1,707,766



Generated on: This page was generated by TSDR on 2016-04-12 14:31:09 EDT

Mark: D



US Serial Number: 74209067

Application Filing Date: Sep. 30, 1991

US Registration Number: 1707766

Registration Date: Aug. 18, 1992

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Aug. 28, 2012

Publication Date: May 26, 1992

Mark Information

Mark Literal Elements: D

Standard Character Claim: No

Mark Drawing Type: 5 - AN ILLUSTRATION DRAWING WITH WORD(S) /LETTER(S)/ NUMBER(S) INSTYLIZED FORM

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (()) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *.* identify additional (new) wording in the goods/services.

For: key chains made primarily of metal

International Class(es): 006 - Primary Class

U.S Class(es): 013, 025

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 1971

Use in Commerce: Jun. 1971

For: tables

International Class(es): 020 - Primary Class

U.S Class(es): 032

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 1971

Use in Commerce: Jun. 1971

For: scarves, hats, socks, shirts, sweaters and pants

International Class(es): 025 - Primary Class

U.S Class(es): 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 1971

Use in Commerce: Jun. 1971

Basis Information (Case Level)

Filed Use: Yes	Currently Use: Yes	Amended Use: No
Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: Duke University

Owner Address: Office of Counsel
310 Blackwell Street, 4th Floor
Durham, NORTH CAROLINA UNITED STATES 27701

Legal Entity Type: NONPROFIT CORPORATION **State or Country Where Organized:** NORTH CAROLINA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Susan Freya Olive **Docket Number:** DUKU0405

Attorney Primary Email Address: emailboxtm@oliveandolive.com **Attorney Email Authorized:** Yes

Correspondent

Correspondent Name/Address: Susan Freya Olive
OLIVE & OLIVE PA
PO BOX 2049
500 Memorial Street
DURHAM, NORTH CAROLINA UNITED STATES 27702-2049

Phone: 919 683 5514 **Fax:** 919 688-3781

Correspondent e-mail: emailboxtm@oliveandolive.com **Correspondent e-mail Authorized:** Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Aug. 28, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Aug. 28, 2012	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	68502
Aug. 28, 2012	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	68502
Aug. 27, 2012	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	68502
Aug. 07, 2012	TEAS SECTION 8 & 9 RECEIVED	
Feb. 13, 2008	CASE FILE IN TICRS	
Nov. 08, 2002	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Nov. 08, 2002	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Aug. 16, 2002	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Aug. 16, 2002	PAPER RECEIVED	
Oct. 14, 1998	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Jul. 24, 1998	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Aug. 18, 1992	REGISTERED-PRINCIPAL REGISTER	
May 26, 1992	PUBLISHED FOR OPPOSITION	
Apr. 24, 1992	NOTICE OF PUBLICATION	
Jan. 25, 1992	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 30, 1991	EXAMINER'S AMENDMENT MAILED	
Dec. 10, 1991	EXAMINER'S AMENDMENT MAILED	
Dec. 09, 1991	ASSIGNED TO EXAMINER	67604

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Aug. 18, 2012

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Aug. 28, 2012

Duke University's Notice of Opposition

Exhibit 8:

TSDR website printout of Reg. No. 1,713,473

**UNIVERSITAS DUKIANA ERUDITIO ET
RELIGIO**



Generated on: This page was generated by TSDR on 2016-04-12 14:31:43 EDT

Mark: UNIVERSITAS DUKIANA ERUDITIO ET RELIGIO



US Serial Number: 74208924

Application Filing Date: Oct. 01, 1991

US Registration Number: 1713473

Registration Date: Sep. 08, 1992

Register: Principal

Mark Type: Trademark, Service Mark

Status: The registration has been renewed.

Status Date: Mar. 15, 2012

Publication Date: May 12, 1992

Mark Information

Mark Literal Elements: UNIVERSITAS DUKIANA ERUDITIO ET RELIGIO

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Disclaimer: "UNIVERSITY"

Translation: The English translation of the words "UNIVERSITAS DUKIANA" and "ERUDITO ET RELIGIO" in the mark is "Duke University" and "education and religion" respectively.

Design Search 05.15.02 - Laurel leaves or branches (borders or frames); Wreaths

Code(s): 24.05.01 - Circular or elliptical seals; Seals, circular or elliptical

24.13.01 - Cross, Latin (shorter horizontal lines); Latin cross (shorter horizontal lines)

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (...) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: jewelry; namely, class rings

International Class(es): 014 - Primary Class

U.S Class(es): 028

Class Status: ACTIVE

Basis: 1(a)

First Use: 1965

Use in Commerce: 1965

For: educational services; namely, providing courses of study at the undergraduate and graduate level

International Class(es): 041 - Primary Class

U.S Class(es): 107

Class Status: ACTIVE

Basis: 1(a)

First Use: 1965

Use in Commerce: 1965

Basis Information (Case Level)

Filed Use: Yes	Currently Use: Yes	Amended Use: No
Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: Duke University
Owner Address: 310 Blackwell Street, 4th Floor
Durham, NORTH CAROLINA 27701
UNITED STATES
Legal Entity Type: NONPROFIT CORPORATION
State or Country Where Organized: NORTH CAROLINA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Susan Freya Olive
Attorney Primary Email Address: emailboxtm@oliveandolive.com
Docket Number: DUKU2101
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Susan Freya Olive
OLIVE & OLIVE, P.A.
500 MEMORIAL STREET
DURHAM, NORTH CAROLINA 27701
UNITED STATES
Correspondent e-mail: emailboxtm@oliveandolive.com
Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Mar. 15, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Mar. 15, 2012	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	67603
Mar. 15, 2012	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	67603
Mar. 12, 2012	TEAS SECTION 8 & 9 RECEIVED	
Feb. 27, 2008	CASE FILE IN TICRS	
Jul. 07, 2002	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Jul. 07, 2002	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Apr. 29, 2002	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Apr. 29, 2002	PAPER RECEIVED	
Jun. 27, 1998	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Jun. 26, 1998	RESPONSE RECEIVED TO POST REG. ACTION	
Dec. 29, 1997	POST REGISTRATION ACTION MAILED - SEC. 15	
Dec. 02, 1997	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Sep. 08, 1992	REGISTERED-PRINCIPAL REGISTER	
May 12, 1992	PUBLISHED FOR OPPOSITION	
Apr. 10, 1992	NOTICE OF PUBLICATION	
Jan. 08, 1992	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 16, 1991	EXAMINER'S AMENDMENT MAILED	
Dec. 09, 1991	ASSIGNED TO EXAMINER	67604

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Sep. 08, 2012

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Mar. 15, 2012

Duke University's Notice of Opposition

Exhibit 9:

TSDR website printout of Reg. No. 1,724,999

D U ERUDITIO ET RELIGIO and Design



Generated on: This page was generated by TSDR on 2016-04-12 14:32:22 EDT

Mark: D U ERUDITIO ET RELIGIO



US Serial Number: 74209059

Application Filing Date: Sep. 30, 1991

US Registration Number: 1724999

Registration Date: Oct. 20, 1992

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Nov. 09, 2012

Publication Date: Jul. 28, 1992

Mark Information

Mark Literal Elements: D U ERUDITIO ET RELIGIO

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Translation: The English translation of the words "ERUDITIO ET RELIGIO" in the mark is "education and religion".

Design Search Code(s): 07.01.01 - Castles; Forts; Palaces

24.01.02 - Shields or crests with figurative elements contained therein or superimposed thereon

24.01.03 - Shields or crests with letters, punctuation or inscriptions contained therein or superimposed thereon

24.09.07 - Advertising, banners; Banners

24.13.02 - Cross, Greek (equal sides); Greek cross (equal sized lines)

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: key rings made primarily of metal, and metal license tags

International Class(es): 006 - Primary Class

U.S Class(es): 010

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 1966

Use in Commerce: Feb. 1966

For: pocket knives

International Class(es): 008 - Primary Class

U.S Class(es): 023

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 1966

Use in Commerce: Feb. 1966

For: decorative magnets, telephones, developed photographic slide transparencies, and graduated rulers

International Class(es): 009 - Primary Class

U.S Class(es): 014, 021, 026

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 1966

Use in Commerce: Feb. 1966

For: automobile window shades

International Class(es): 012 - Primary Class

U.S Class(es): 019

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 1966

Use in Commerce: Feb. 1966

For: cuff links, watches, and clocks

International Class(es): 014 - Primary Class

U.S Class(es): 027, 028

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 1966

Use in Commerce: Feb. 1966

For: [musical instruments; namely, hand bells]

International Class(es): 015 - Primary Class

U.S Class(es): 002, 021, 036

Class Status: SECTION 8 - CANCELLED

Basis: 1(a)

First Use: Feb. 1966

Use in Commerce: Feb. 1966

For: business card holders, pens, pencils, sets containing pens and pencils, desk top accessories; namely, pens, pencils, pen and pencil sets, blotters, paperweights and desk top calendars, paperweights, book ends, stationery, playing cards, paper napkins, cardboard gift boxes, paper bags, decals, stickers, filler paper, notepads, notebooks, clipboards, stationery type portfolios, memorandum boards, calendars, address books, paper coin holders, and paper diploma cases

International Class(es): 016 - Primary Class

U.S Class(es): 022, 032, 037, 038, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 1966

Use in Commerce: Feb. 1966

For: umbrellas

International Class(es): 018 - Primary Class

U.S Class(es): 041

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 1966

Use in Commerce: Feb. 1966

For: plaques, pillows, plastic novelty license plates, and chairs

International Class(es): 020 - Primary Class

U.S Class(es): 032, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 1966

Use in Commerce: Feb. 1966

For: wooden serving trays, cups, beverage glasses, mugs, insulated beverage holders, decorative jars not of precious metal, vases, coasters, coaster racks, jewelry boxes, serving trays not made of wood also not made of precious metal, and soap dishes

International Class(es): 021 - Primary Class

U.S Class(es): 002, 030, 033, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 1966

Use in Commerce: Feb. 1966

For: laundry bags, and plastic bags for securing valuables

International Class(es): 022 - Primary Class

U.S Class(es): 002

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 1966

Use in Commerce: Feb. 1966

For: pennants not of paper, blankets, tablecloths not of paper, and towels

International Class(es): 024 - Primary Class

U.S Class(es): 042

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 1966

Use in Commerce: Feb. 1966

For: neckties, shirts, pants, and sweaters

International Class(es): 025 - Primary Class

U.S Class(es): 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 1966

Use in Commerce: Feb. 1966

For: buttons for clothing, fabric appliques, and needlepoint kits consisting of one or more of skeins of floss, fabric, needle, photo of completed design, needlepoint pattern and instructions

International Class(es): 026 - Primary Class

U.S Class(es): 040, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 1966

Use in Commerce: Feb. 1966

For: board games and Christmas tree ornaments

International Class(es): 028 - Primary Class

U.S Class(es): 022

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 1966

Use in Commerce: Feb. 1966

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Duke University

Owner Address: Office of Counsel
310 Blackwell Street, 4th Floor
Durham, NORTH CAROLINA 27701
UNITED STATES

Legal Entity Type: NONPROFIT CORPORATION

State or Country Where Organized: NORTH CAROLINA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Susan Freya Olive

Docket Number: DUKU2100

Attorney Primary Email Address: emailboxtm@oliveandolive.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Susan Freya Olive
OLIVE & OLIVE, P.A.
Post Office Box 2049
500 Memorial Street
DURHAM, NORTH CAROLINA 27702-2049
UNITED STATES

Phone: 919 683 5514

Fax: 919 688 3781

Correspondent e-mail: emailboxtm@oliveandolive.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Nov. 09, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 - E-MAILED	
Nov. 09, 2012	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	75461
Nov. 09, 2012	REGISTERED - SEC. 9 GRANTED/CHECK RECORD FOR SEC. 8	75461
Nov. 09, 2012	REGISTERED - PARTIAL SEC. 8 (10-YR) ACCEPTED	75461
Oct. 17, 2012	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	75461
Nov. 09, 2012	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	75461
Oct. 17, 2012	TEAS SECTION 8 & 9 RECEIVED	
Dec. 05, 2008	NOTICE OF DESIGN SEARCH CODE MAILED	
Mar. 12, 2008	CASE FILE IN TICRS	
Jan. 31, 2003	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Jan. 31, 2003	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Oct. 11, 2002	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Oct. 11, 2002	PAPER RECEIVED	
Feb. 27, 1999	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Oct. 20, 1998	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Oct. 20, 1992	REGISTERED-PRINCIPAL REGISTER	
Jul. 28, 1992	PUBLISHED FOR OPPOSITION	
Jun. 26, 1992	NOTICE OF PUBLICATION	
Mar. 23, 1992	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 19, 1992	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Dec. 16, 1991	NON-FINAL ACTION MAILED	
Dec. 09, 1991	ASSIGNED TO EXAMINER	67604

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Oct. 20, 2012

Change in Registration: Yes

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMEO LAW OFFICE 10

Date in Location: Nov. 09, 2012

Duke University's Notice of Opposition

Exhibit 10:
TSDR website printout of Reg. No. 1,737,968



Mark: D



US Serial Number: 74209062

Application Filing Date: Sep. 30, 1991

US Registration Number: 1737968

Registration Date: Dec. 08, 1992

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Nov. 09, 2012

Publication Date: Sep. 15, 1992

Mark Information

Mark Literal Elements: D

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Design Search Code(s): 04.01.05 - Heads with horns (persons); Heads of devils or horned personages, with or without wings, and devil's tail

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *...* identify additional (new) wording in the goods/services.

For: metal license plates and metal key chains

International Class(es): 006 - Primary Class

U.S Class(es): 013, 025, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 1982

Use in Commerce: Sep. 1982

For: lamps

International Class(es): 011 - Primary Class

U.S Class(es): 021

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 1982

Use in Commerce: Sep. 1982

For: automobile windshield sunshades

International Class(es): 012 - Primary Class

U.S Class(es): 019

Class Status: ACTIVE

Basis: 1(a)

First Use: Oct. 1988

Use in Commerce: Oct. 1988

For:	watches and women's jewelry	
International Class(es):	014 - Primary Class	U.S Class(es): 027, 028
Class Status:	ACTIVE	
Basis:	1(a)	
First Use:	Sep. 1982	Use in Commerce: Sep. 1982
For:	decals, [paper flags,] note pads, and writing paper	
International Class(es):	016 - Primary Class	U.S Class(es): 002, 005, 022, 023, 029, 037, 038, 050
Class Status:	ACTIVE	
Basis:	1(a)	
First Use:	Sep. 1982	Use in Commerce: Sep. 1982
For:	[trunks for traveling and] gym bags	
International Class(es):	018 - Primary Class	U.S Class(es): 001, 002, 003, 022, 041
Class Status:	ACTIVE	
Basis:	1(a)	
First Use:	Sep. 1982	Use in Commerce: Sep. 1982
For:	chairs, [plastic flags,] and jewelry cases not of precious metal	
International Class(es):	020 - Primary Class	U.S Class(es): 002, 013, 022, 025, 032, 050
Class Status:	ACTIVE	
Basis:	1(a)	
First Use:	Sep. 1982	Use in Commerce: Sep. 1982
For:	cups, wastepaper baskets, and insulated can holders	
International Class(es):	021 - Primary Class	U.S Class(es): 002, 030
Class Status:	ACTIVE	
Basis:	1(a)	
First Use:	Sep. 1982	Use in Commerce: Sep. 1982
For:	cloth flags	
International Class(es):	024 - Primary Class	U.S Class(es): 042, 050
Class Status:	ACTIVE	
Basis:	1(a)	
First Use:	Sep. 1982	Use in Commerce: Sep. 1982
For:	hats, socks, pants, shirts, sweatshirts, and sweaters	
International Class(es):	025 - Primary Class	U.S Class(es): 039
Class Status:	ACTIVE	
Basis:	1(a)	
First Use:	Sep. 1982	Use in Commerce: Sep. 1982
For:	floor mats for household use	
International Class(es):	027 - Primary Class	U.S Class(es): 050
Class Status:	ACTIVE	
Basis:	1(a)	
First Use:	Sep. 1982	Use in Commerce: Sep. 1982
For:	sports balls and basketball backboards	
International Class(es):	028 - Primary Class	U.S Class(es): 022

Class(es):

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 1982

Use in Commerce: Sep. 1982

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Duke University

Owner Address: Office of Counsel
310 Blackwell Street, 4th Floor
Durham, NORTH CAROLINA 27710
UNITED STATES

Legal Entity Type: NONPROFIT CORPORATION

State or Country NORTH CAROLINA
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Susan Freya Olive

Docket Number: DUKU0406

Attorney Primary emailboxtm@oliveandolive.com
Email Address:

Attorney Email Yes
Authorized:

Correspondent

Correspondent Susan Freya Olive
Name/Address: OLIVE & OLIVE, P.A.
Post Office Box 2049
500 Memorial Street
DURHAM, NORTH CAROLINA 27702-2049
UNITED STATES

Phone: 919 683 5514

Fax: 919 688 3781

Correspondent e-mail: emailboxtm@oliveandolive.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Nov. 09, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Nov. 09, 2012	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	66607
Nov. 09, 2012	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	66607
Nov. 07, 2012	TEAS SECTION 8 & 9 RECEIVED	
Apr. 30, 2008	CASE FILE IN TICRS	
Feb. 21, 2003	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Feb. 21, 2003	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Nov. 07, 2002	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Nov. 07, 2002	PAPER RECEIVED	
Apr. 28, 1999	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Dec. 08, 1998	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Dec. 08, 1992	REGISTERED-PRINCIPAL REGISTER	
Sep. 15, 1992	PUBLISHED FOR OPPOSITION	

Aug. 14, 1992 NOTICE OF PUBLICATION
Jun. 15, 1992 APPROVED FOR PUB - PRINCIPAL REGISTER
May 27, 1992 EXAMINER'S AMENDMENT MAILED
Apr. 13, 1992 CORRESPONDENCE RECEIVED IN LAW OFFICE
Feb. 10, 1992 NON-FINAL ACTION MAILED
Dec. 09, 1991 ASSIGNED TO EXAMINER

67568

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Dec. 08, 2012

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Nov. 09, 2012

Duke University's Notice of Opposition

Exhibit 11:

TSDR website printout of Reg. No. 2,026,492

D[U]KE with Stylized "U"

D♥KE

Generated on: This page was generated by TSDR on 2016-04-12 14:33:27 EDT

Mark: DKE

D♥KE

US Serial Number: 74693793

Application Filing Date: Jun. 27, 1995

US Registration Number: 2026492

Registration Date: Dec. 31, 1996

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Feb. 26, 2007

Publication Date: Oct. 08, 1996

Mark Information

Mark Literal Elements: DKE

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Design Search Code(s): 02.11.01 - Hearts excluding hearts as carriers or depicted on playing cards
27.03.02 - Humans forming punctuation; Humans forming letters or numerals

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (()) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: clothing, namely, T-shirts

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 17, 1995

Use in Commerce: Feb. 17, 1995

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Duke University

Owner Address: Post Office Box 3024
Durham, NORTH CAROLINA 27710
UNITED STATES

Legal Entity Type: NONPROFIT CORPORATION

State or Country: NORTH CAROLINA

Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Susan Freya Olive

Docket Number: DUKU0416

Correspondent

Correspondent Name/Address: SUSAN FREYA OLIVE
OLIVE & OLIVE PA
500 MEMORIAL ST
PO BOX 2049
DURHAM, NORTH CAROLINA 27702-2049
UNITED STATES

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Nov. 08, 2008	NOTICE OF DESIGN SEARCH CODE AND PSEUDO MARK MAILED	
Feb. 26, 2007	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	68502
Feb. 26, 2007	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Feb. 16, 2007	ASSIGNED TO PARALEGAL	68502
Dec. 19, 2006	TEAS SECTION 8 & 9 RECEIVED	
Sep. 14, 2006	CASE FILE IN TICRS	
Dec. 23, 2002	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Oct. 29, 2002	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Oct. 29, 2002	PAPER RECEIVED	
Dec. 31, 1996	REGISTERED-PRINCIPAL REGISTER	
Oct. 08, 1996	PUBLISHED FOR OPPOSITION	
Sep. 06, 1996	NOTICE OF PUBLICATION	
Jul. 22, 1996	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 30, 1995	NON-FINAL ACTION MAILED	
Nov. 21, 1995	ASSIGNED TO EXAMINER	68788

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Dec. 31, 2006

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: POST REGISTRATION

Date in Location: Feb. 26, 2007

Duke University's Notice of Opposition

Exhibit 12

TSDR website printout of Reg. No. 2,082,553

D[U]KE with Stylized "U"

D♥KE

Generated on: This page was generated by TSDR on 2016-04-12 14:34:09 EDT

Mark: DKE

D♥KE

US Serial Number: 75976141

Application Filing Date: Jun. 28, 1995

US Registration Number: 2082553

Registration Date: Jul. 22, 1997

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Jun. 11, 2007

Publication Date: Jun. 25, 1996

Notice of Allowance Date: Sep. 17, 1996

Mark Information

Mark Literal Elements: DKE

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Design Search Code(s): 02.11.01 - Hearts excluding hearts as carriers or depicted on playing cards

Related Properties Information

Child Of: 74694684

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *...* identify additional (new) wording in the goods/services.

For: balloons

International Class(es): 028 - Primary Class

U.S Class(es): 022, 023, 038, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Nov. 12, 1996

Use in Commerce: Nov. 12, 1996

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Duke University

Owner Address: Post Office Box 3024
Durham, NORTH CAROLINA 27710
UNITED STATES

Legal Entity Type: NONPROFIT CORPORATION

State or Country NORTH CAROLINA
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Susan Freya Olive

Docket Number: DUKU0427

Attorney Primary emailboxtm@oliveandolive.com
Email Address:

Attorney Email Yes
Authorized:

Correspondent

Correspondent Susan Freya Olive
Name/Address: OLIVE & OLIVE, P.A.
500 MEMORIAL STREET
POST OFFICE BOX 2049
DURHAM, NORTH CAROLINA 27702-2049
UNITED STATES

Phone: (919) 683-5514

Fax: (919) 688-3781

Correspondent e-mail: emailboxtm@oliveandolive.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jun. 11, 2007	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	68502
Jun. 11, 2007	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jun. 08, 2007	ASSIGNED TO PARALEGAL	68502
May 15, 2007	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
May 15, 2007	TEAS SECTION 8 & 9 RECEIVED	
Mar. 15, 2007	CASE FILE IN TICRS	
Jul. 10, 2003	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Apr. 17, 2003	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Apr. 17, 2003	PAPER RECEIVED	
Jul. 22, 1997	REGISTERED-PRINCIPAL REGISTER	
Jun. 02, 1997	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
May 22, 1997	STATEMENT OF USE PROCESSING COMPLETE	
Mar. 17, 1997	USE AMENDMENT FILED	
May 30, 1997	DIVISIONAL PROCESSING COMPLETE	
Mar. 17, 1997	DIVISIONAL REQUEST RECEIVED	
Sep. 17, 1996	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Jun. 25, 1996	PUBLISHED FOR OPPOSITION	
May 24, 1996	NOTICE OF PUBLICATION	
Apr. 11, 1996	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 21, 1996	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Dec. 28, 1995	NON-FINAL ACTION MAILED	
Dec. 15, 1995	ASSIGNED TO EXAMINER	68788
Dec. 07, 1995	ASSIGNED TO EXAMINER	69197

Maintenance Filings or Post Registration Information

Affidavit of Section 8 - Accepted
Continued Use:

Affidavit of Section 15 - Accepted
Incontestability:

Renewal Date: Jul. 22, 2007

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: POST REGISTRATION

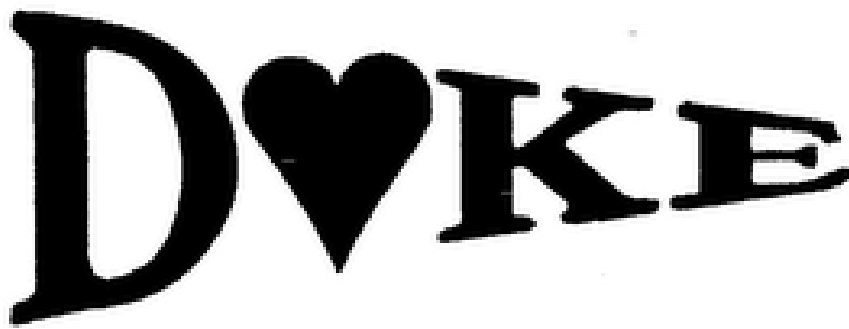
Date in Location: Jun. 11, 2007

Duke University's Notice of Opposition

Exhibit 13:

TSDR website printout of Reg. No. 2,092,314

D[U]KE with Stylized "U"



Generated on: This page was generated by TSDR on 2016-04-12 14:34:50 EDT

Mark: D KE



US Serial Number: 75976140

Application Filing Date: Jun. 28, 1995

US Registration Number: 2092314

Registration Date: Aug. 26, 1997

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Oct. 31, 2007

Publication Date: Jun. 25, 1996

Notice of Allowance Date: Sep. 17, 1996

Mark Information

Mark Literal Elements: D KE

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Design Search Code(s): 02.11.01 - Hearts excluding hearts as carriers or depicted on playing cards
27.03.05 - Objects forming letters or numerals

Related Properties Information

Child Of: 74694684

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *...* identify additional (new) wording in the goods/services.

For: pennants not of paper

International Class(es): 024 - Primary Class

U.S Class(es): 042, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Nov. 22, 1996

Use in Commerce: Nov. 22, 1996

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Duke University

Owner Address: POST OFFICE BOX 3024
Durham, NORTH CAROLINA UNITED STATES 27710

Legal Entity Type: NONPROFIT CORPORATION

State or Country NORTH CAROLINA
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Susan Freya Olive

Docket Number: DUKU0426

Attorney Primary Email Address: emailboxtm@oliveandolive.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Susan Freya Olive
OLIVE & OLIVE, P.A.
500 MEMORIAL STREET
POST OFFICE BOX 2049
DURHAM, NORTH CAROLINA UNITED STATES 27702-2049

Phone: 919-683-5514

Fax: 919-688-3781

Correspondent e-mail: emailboxtm@oliveandolive.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Oct. 10, 2008	NOTICE OF DESIGN SEARCH CODE MAILED	
Oct. 31, 2007	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	75461
Oct. 31, 2007	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Oct. 31, 2007	ASSIGNED TO PARALEGAL	75461
May 31, 2007	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
May 31, 2007	TEAS SECTION 8 & 9 RECEIVED	
Mar. 02, 2007	CASE FILE IN TICRS	
Jul. 10, 2003	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Apr. 17, 2003	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Apr. 17, 2003	PAPER RECEIVED	
Aug. 26, 1997	REGISTERED-PRINCIPAL REGISTER	
Jun. 19, 1997	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Mar. 17, 1997	CORRESPONDENCE RECEIVED IN LAW OFFICE	
May 22, 1997	STATEMENT OF USE PROCESSING COMPLETE	
Mar. 17, 1997	USE AMENDMENT FILED	
May 30, 1997	DIVISIONAL PROCESSING COMPLETE	
Mar. 17, 1997	DIVISIONAL REQUEST RECEIVED	
Sep. 17, 1996	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Jun. 25, 1996	PUBLISHED FOR OPPOSITION	
May 24, 1996	NOTICE OF PUBLICATION	
Apr. 11, 1996	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 21, 1996	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Dec. 28, 1995	NON-FINAL ACTION MAILED	
Dec. 15, 1995	ASSIGNED TO EXAMINER	68788
Dec. 07, 1995	ASSIGNED TO EXAMINER	69197

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Aug. 26, 2007

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: POST REGISTRATION

Date in Location: Oct. 31, 2007

Duke University's Notice of Opposition

Exhibit 14:

TSDR website printout of Reg. No. 2,100,928



Generated on: This page was generated by TSDR on 2016-04-12 14:37:03 EDT

Mark: CAMERON CRAZIE D



US Serial Number: 75078947

Application Filing Date: Mar. 25, 1996

US Registration Number: 2100928

Registration Date: Sep. 30, 1997

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Sep. 04, 2007

Publication Date: Jul. 08, 1997

Mark Information

Mark Literal Elements: CAMERON CRAZIE D

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Design Search Code(s): 21.03.20 - Basketballs
27.03.05 - Objects forming letters or numerals

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *...* identify additional (new) wording in the goods/services.

For: clothing, namely, shirts

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 17, 1992

Use in Commerce: Mar. 17, 1992

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Duke University

Owner Address: P.O. Box 3024

Durham, NORTH CAROLINA UNITED STATES 27710

Legal Entity Type: NONPROFIT CORPORATION

State or Country NORTH CAROLINA
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Susan Freya Olive

Docket Number: DUKU0304

Attorney Primary emailboxtm@oliveandolive.com

Attorney Email Yes

Email Address:

Authorized:

Correspondent

Correspondent Susan Freya Olive

Name/Address: OLIVE & OLIVE PA
PO BOX 2049
DURHAM, NORTH CAROLINA UNITED STATES 27702-2049

Phone: 919-683-5514

Fax: 919-688-3781

Correspondent e-mail: emailboxtm@oliveandolive.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Sep. 04, 2007	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	70132
Sep. 04, 2007	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Aug. 21, 2007	ASSIGNED TO PARALEGAL	70132
Aug. 03, 2007	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Aug. 03, 2007	TEAS SECTION 8 & 9 RECEIVED	
Feb. 28, 2007	CASE FILE IN TICRS	
Jul. 10, 2003	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Apr. 17, 2003	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Apr. 17, 2003	PAPER RECEIVED	
Sep. 30, 1997	REGISTERED-PRINCIPAL REGISTER	
Jul. 08, 1997	PUBLISHED FOR OPPOSITION	
Jun. 06, 1997	NOTICE OF PUBLICATION	
May 02, 1997	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 14, 1997	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Sep. 29, 1996	NON-FINAL ACTION MAILED	
Sep. 27, 1996	PREVIOUS ALLOWANCE COUNT WITHDRAWN	
Aug. 22, 1996	ASSIGNED TO EXAMINER	72148
Aug. 19, 1996	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 13, 1996	ASSIGNED TO EXAMINER	72148

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Sep. 30, 2007

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: POST REGISTRATION

Date in Location: Sep. 04, 2007

Duke University's Notice of Opposition

Exhibit 15:

TSDR website printout of Reg. No. 2,122,067

D[U]KE with Stylized "U"

D♥KE

Generated on: This page was generated by TSDR on 2016-04-12 14:37:43 EDT

Mark: DKE

D♥KE

US Serial Number: 74694684

Application Filing Date: Jun. 28, 1995

US Registration Number: 2122067

Registration Date: Dec. 16, 1997

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Jun. 23, 2007

Publication Date: Jun. 25, 1996

Notice of Allowance Date: Sep. 17, 1996

Mark Information

Mark Literal Elements: DKE

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Design Search Code(s): 02.11.01 - Hearts excluding hearts as carriers or depicted on playing cards
27.03.05 - Objects forming letters or numerals

Related Properties Information

Claimed Ownership of US Registrations: 2026492, 2082553, 2092314

Parent Of: 75976140, 75976141

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *...* identify additional (new) wording in the goods/services.

For: decals, stickers, stationery, and note pads

International Class(es): 016 - Primary Class

U.S Class(es): 002, 005, 022, 023, 029, 037, 038, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Nov. 05, 1996

Use in Commerce: Nov. 05, 1996

For: drinking glasses, cups, and mugs

International Class(es): 021 - Primary Class

U.S Class(es): 002, 013, 023, 029, 030, 033, 040, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Nov. 06, 1996

Use in Commerce: Nov. 06, 1996

Basis Information (Case Level)

Filed Use: No	Currently Use: Yes	Amended Use: No
Filed ITU: Yes	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: Duke University

Owner Address: Durham, NORTH CAROLINA 27706
UNITED STATES

Legal Entity Type: NONPROFIT CORPORATION

State or Country Where Organized: NORTH CAROLINA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: SUSAN FREYA OLIVE

Docket Number: DUKU0417

Attorney Primary Email Address: emailboxtm@oliveandolive.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: SUSAN FREYA OLIVE
OLIVE & OLIVE PA
500 Memorial Street
P.O. Box 2049
DURHAM, NORTH CAROLINA 27702-2049
UNITED STATES

Phone: (919) 683-5514

Fax: (919) 688-3781

Correspondent e-mail: emailboxtm@oliveandolive.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Nov. 19, 2008	NOTICE OF DESIGN SEARCH CODE MAILED	
Jun. 23, 2007	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	73376
Jun. 23, 2007	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jun. 08, 2007	ASSIGNED TO PARALEGAL	73376
May 15, 2007	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
May 15, 2007	TEAS SECTION 8 & 9 RECEIVED	
Feb. 26, 2007	CASE FILE IN TICRS	
Sep. 27, 2003	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Aug. 14, 2003	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Aug. 14, 2003	PAPER RECEIVED	
Dec. 16, 1997	REGISTERED-PRINCIPAL REGISTER	
Oct. 16, 1997	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Oct. 12, 1997	STATEMENT OF USE PROCESSING COMPLETE	
Sep. 16, 1997	USE AMENDMENT FILED	
May 22, 1997	EXTENSION 1 GRANTED	
Mar. 17, 1997	EXTENSION 1 FILED	
May 30, 1997	DIVISIONAL PROCESSING COMPLETE	
May 30, 1997	DIVISIONAL PROCESSING COMPLETE	
Mar. 17, 1997	DIVISIONAL REQUEST RECEIVED	
Mar. 17, 1997	DIVISIONAL REQUEST RECEIVED	
Sep. 17, 1996	NOA MAILED - SOU REQUIRED FROM APPLICANT	

Jun. 25, 1996	PUBLISHED FOR OPPOSITION	
May 24, 1996	NOTICE OF PUBLICATION	
Apr. 11, 1996	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 21, 1996	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Dec. 28, 1995	NON-FINAL ACTION MAILED	
Dec. 15, 1995	ASSIGNED TO EXAMINER	68788
Dec. 07, 1995	ASSIGNED TO EXAMINER	69197

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Dec. 16, 2007

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: POST REGISTRATION

Date in Location: Jun. 23, 2007

Duke University's Notice of Opposition

Exhibit 16:

TSDR website printout of Reg. No. 2,203,764

DUKE CENTER FOR LIVING

Generated on: This page was generated by TSDR on 2016-04-12 14:38:20 EDT

Mark: DUKE CENTER FOR LIVING

US Serial Number: 75321843

Application Filing Date: Jul. 01, 1997

US Registration Number: 2203764

Registration Date: Nov. 17, 1998

Register: Principal

Mark Type: Service Mark

Status: The registration has been renewed.

Status Date: May 24, 2008

Publication Date: Aug. 25, 1998

Mark Information

Mark Literal Elements: DUKE CENTER FOR LIVING

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Disclaimer: "CENTER"

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: educational services, namely, conducting classes, individualized programs, retreats, seminars, and workshops in the fields of health, medicine, nutrition, physical fitness, and stress and lifestyle management; and providing facilities for exercise

International Class(es): 041 - Primary Class

U.S Class(es): 100, 101, 107

Class Status: ACTIVE

Basis: 1(a)

First Use: Aug. 1991

Use in Commerce: Aug. 1991

For: counseling in the fields of health care, nutrition, physical fitness, and stress and lifestyle management; medical services; restaurant services; and weight management diet planning and supervision

International Class(es): 042 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 1(a)

First Use: Aug. 1991

Use in Commerce: Aug. 1991

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: Duke University

Owner Address: PO BOX 3024
Durham, NORTH CAROLINA 27710
UNITED STATES

Legal Entity Type: NONPROFIT CORPORATION

State or Country Where Organized: NORTH CAROLINA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Susan Freya Olive

Docket Number: DUKU0429

Attorney Primary Email Address: emailboxtm@oliveandolive.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Susan Freya Olive
OLIVE & OLIVE PA
500 MEMORIAL ST.
DURHAM, NORTH CAROLINA 27702-2049
UNITED STATES

Phone: 919-683-5514

Fax: 919-688-3781

Correspondent e-mail: emailboxtm@oliveandolive.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
May 24, 2008	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	73376
May 24, 2008	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
May 21, 2008	ASSIGNED TO PARALEGAL	73376
May 09, 2008	TEAS SECTION 8 & 9 RECEIVED	
Jul. 27, 2007	CASE FILE IN TICRS	
Jun. 07, 2004	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Apr. 29, 2004	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Nov. 17, 1998	REGISTERED-PRINCIPAL REGISTER	
Aug. 25, 1998	PUBLISHED FOR OPPOSITION	
Jul. 24, 1998	NOTICE OF PUBLICATION	
Jun. 04, 1998	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 20, 1998	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Apr. 01, 1998	NON-FINAL ACTION MAILED	
Mar. 13, 1998	ASSIGNED TO EXAMINER	74301

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Nov. 17, 2008

TM Staff and Location Information

TM Staff Information - None

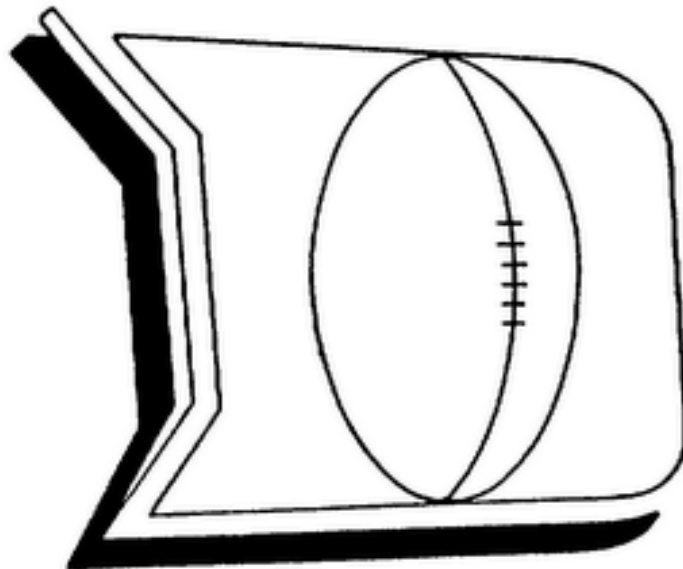
File Location

Current Location: POST REGISTRATION

Date in Location: May 24, 2008

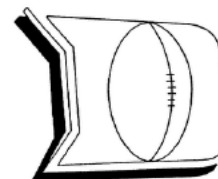
Duke University's Notice of Opposition

Exhibit 17:
TSDR website printout of Reg. No. 2,307,324



Generated on: This page was generated by TSDR on 2016-04-12 14:38:58 EDT

Mark: D



US Serial Number: 75565065

Application Filing Date: Oct. 06, 1998

US Registration Number: 2307324

Registration Date: Jan. 11, 2000

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Jun. 15, 2009

Publication Date: Oct. 19, 1999

Mark Information

Mark Literal Elements: D

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Design Search Code(s): 21.03.18 - Australian footballs; Elliptical shaped balls; Footballs; Rugby balls
26.13.21 - Quadrilaterals that are completely or partially shaded

Related Properties Information

Claimed Ownership of US Registrations: 1703029, 1707766, 1737968

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: cups and mugs

International Class(es): 021 - Primary Class

U.S Class(es): 002, 013, 023, 029, 030, 033, 040, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 05, 1997

Use in Commerce: Jun. 05, 1997

For: cloth pennants

International Class(es): 024 - Primary Class

U.S Class(es): 042, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: May 17, 1997

Use in Commerce: May 17, 1997

For: shirts and hats

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 1997

Use in Commerce: Jun. 1997

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Duke University

Owner Address: Post Office Box 3024
DURHAM, NORTH CAROLINA 27710
UNITED STATES

Legal Entity Type: NON-PROFIT CORPORATION

State or Country Where Organized: NORTH CAROLINA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Susan Freya Olive

Docket Number: DUKU0421

Attorney Primary Email Address: emailboxtm@oliveandolive.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Susan Freya Olive
OLIVE & OLIVE, P.A.
500 MEMORIAL STREET, P.O. BOX 2049
DURHAM, NORTH CAROLINA 27702
UNITED STATES

Phone: 919-683-5514

Fax: 919-688-3781

Correspondent e-mail: emailboxtm@oliveandolive.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jun. 15, 2009	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	69934
Jun. 15, 2009	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jun. 04, 2009	ASSIGNED TO PARALEGAL	69934
Jun. 02, 2009	TEAS SECTION 8 & 9 RECEIVED	
Oct. 30, 2008	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	77315
Oct. 30, 2008	ASSIGNED TO PARALEGAL	77315
May 31, 2006	CASE FILE IN TIGRS	
Jan. 11, 2006	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Jan. 11, 2006	TEAS SECTION 8 & 15 RECEIVED	
Jan. 11, 2000	REGISTERED-PRINCIPAL REGISTER	
Oct. 19, 1999	PUBLISHED FOR OPPOSITION	
Sep. 17, 1999	NOTICE OF PUBLICATION	

May 18, 1999 APPROVED FOR PUB - PRINCIPAL REGISTER
May 12, 1999 EXAMINER'S AMENDMENT MAILED
May 05, 1999 NON-FINAL ACTION MAILED
Apr. 30, 1999 ASSIGNED TO EXAMINER

74338

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted
Affidavit of Incontestability: Section 15 - Accepted
Renewal Date: Jan. 11, 2010

TM Staff and Location Information

TM Staff Information - None
File Location

Current Location: POST REGISTRATION **Date in Location:** Jun. 15, 2009

Duke University's Notice of Opposition

Exhibit 18:

TSDR website printout of Reg. No. 2,317,603

DUKE

Generated on: This page was generated by TSDR on 2016-04-12 14:39:37 EDT

Mark: DUKE

DUKE

US Serial Number: 75347293

Application Filing Date: Aug. 26, 1997

US Registration Number: 2317603

Registration Date: Feb. 15, 2000

Register: Principal

Mark Type: Service Mark

Status: The registration has been renewed.

Status Date: Aug. 12, 2009

Publication Date: Nov. 23, 1999

Mark Information

Mark Literal Elements: DUKE

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Related Properties Information

Claimed Ownership of US Registrations: 2203764

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Educational services and teaching hospital services, namely, conducting classes, seminars, workshops, conferences and exhibitions, and distributing course materials therewith, in the field of medicine and health care, and conducting medical and health care training in the use of medical and health care devices, all provided via live sessions, interactive and/or on-line computer networks, television, and/or video-conferencing

International Class(es): 041 - Primary Class

U.S Class(es): 100, 101, 107

Class Status: ACTIVE

Basis: 1(a)

First Use: Jan. 1935

Use in Commerce: Jan. 1935

For: providing hospital, medical, and health care services; providing medical services delivered by mobile unit; conducting clinical and experimental research in the fields of health care and medicine; and providing health-related support group services

International Class(es): 042 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 1(a)

First Use: Jan. 1935

Use in Commerce: Jan. 1935

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: Duke University

Owner Address: 4th Floor
310 Blackwell Street
Durham, NORTH CAROLINA 27701
UNITED STATES

Legal Entity Type: NONPROFIT CORPORATION

State or Country NORTH CAROLINA
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: SUSAN FREYA OLIVE

Docket Number: DUKU0428

Attorney Primary emailboxtm@oliveandolive.com

Email Address:

Attorney Email Yes
Authorized:

Correspondent

Correspondent SUSAN FREYA OLIVE

Name/Address: OLIVE & OLIVE PA
500 Memorial Street, P.O. Box 2049
DURHAM, NORTH CAROLINA 27702-2049
UNITED STATES

Phone: 919-683-5514

Fax: 919-688-3781

Correspondent e-mail: emailboxtm@oliveandolive.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Sep. 10, 2009	CASE FILE IN TICRS	96529
Aug. 12, 2009	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	77315
Aug. 12, 2009	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Aug. 10, 2009	ASSIGNED TO PARALEGAL	77315
Aug. 06, 2009	TEAS SECTION 8 & 9 RECEIVED	
Dec. 03, 2005	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	70853
Dec. 03, 2005	ASSIGNED TO PARALEGAL	70853
Aug. 10, 2005	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Aug. 10, 2005	TEAS SECTION 8 & 15 RECEIVED	
Feb. 15, 2000	REGISTERED-PRINCIPAL REGISTER	
Nov. 23, 1999	PUBLISHED FOR OPPOSITION	
Oct. 22, 1999	NOTICE OF PUBLICATION	
Aug. 02, 1999	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 29, 1999	EXAMINER'S AMENDMENT MAILED	
Jan. 21, 1999	NON-FINAL ACTION MAILED	
Nov. 16, 1998	CORRESPONDENCE RECEIVED IN LAW OFFICE	
May 11, 1998	NON-FINAL ACTION MAILED	
May 08, 1998	ASSIGNED TO EXAMINER	74301
May 07, 1998	ASSIGNED TO EXAMINER	73699

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted
Affidavit of Incontestability: Section 15 - Accepted
Renewal Date: Feb. 15, 2010

TM Staff and Location Information

TM Staff Information - None
File Location

Current Location: TMEG LAW OFFICE 102

Date in Location: Sep. 14, 2009

Duke University's Notice of Opposition

Exhibit 19:

TSDR website printout of Reg. No. 2,415,817

DUKECARD

Generated on: This page was generated by TSDR on 2016-04-12 14:40:10 EDT

Mark: DUKECARD

DUKECARD

US Serial Number: 75892149

Application Filing Date: Jan. 07, 2000

US Registration Number: 2415817

Registration Date: Dec. 26, 2000

Register: Principal

Mark Type: Trademark, Service Mark

Status: The registration has been renewed.

Status Date: Nov. 03, 2010

Publication Date: Oct. 03, 2000

Mark Information

Mark Literal Elements: DUKECARD

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (()) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: magnetically encoded debit cards, security access cards, admission cards, identification cards and telephone calling cards for use in debit and stored-value transactions, library material rentals, purchase of goods and services from contracting vendors and for gaining access to facilities and events

International Class(es): 009 - Primary Class

U.S Class(es): 021, 023, 026, 036, 038

Class Status: ACTIVE

Basis: 1(a)

First Use: Aug. 1985

Use in Commerce: Aug. 1985

For: financial services namely, providing and administering issuance, redemption and processing of transactions related to debit and stored value cards, and issuing statements of account and payment processing, and transactions related thereto

International Class(es): 036 - Primary Class

U.S Class(es): 100, 101, 102

Class Status: ACTIVE

Basis: 1(a)

First Use: Aug. 1985

Use in Commerce: Aug. 1985

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Duke University

Owner Address: Office of University Counsel
310 Blackwell Street, 4th Floor
Durham, NORTH CAROLINA 27701
UNITED STATES

Legal Entity Type: NON-PROFIT CORPORATION

State or Country Where Organized: NORTH CAROLINA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Susan Freya Olive

Docket Number: DUKU0435

Attorney Primary Email Address: emailboxtm@oliveandolive.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Susan Freya Olive
Olive & Olive, P.A.
500 Memorial Street
DURHAM, NORTH CAROLINA 27702-2049
UNITED STATES

Phone: (919) 683-5514

Correspondent e-mail: emailboxtm@oliveandolive.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Nov. 03, 2010	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	76533
Nov. 03, 2010	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Nov. 01, 2010	TEAS SECTION 8 & 9 RECEIVED	
Jan. 06, 2007	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	76533
Jan. 06, 2007	ASSIGNED TO PARALEGAL	76533
Oct. 30, 2006	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Oct. 30, 2006	TEAS SECTION 8 & 15 RECEIVED	
Jul. 19, 2006	CASE FILE IN TICRS	
Dec. 26, 2000	REGISTERED-PRINCIPAL REGISTER	
Oct. 03, 2000	PUBLISHED FOR OPPOSITION	
Sep. 01, 2000	NOTICE OF PUBLICATION	
Jul. 17, 2000	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 13, 2000	EXAMINER'S AMENDMENT MAILED	
Jun. 28, 2000	ASSIGNED TO EXAMINER	76145
Jun. 22, 2000	ASSIGNED TO EXAMINER	77770

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Dec. 26, 2010

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Nov. 03, 2010

Duke University's Notice of Opposition

Exhibit 20:
TSDR website printout of Reg. No. 2,820,854

D



Generated on: This page was generated by TSDR on 2016-04-12 14:40:49 EDT

Mark: D



US Serial Number: 76465255

Application Filing Date: Nov. 07, 2002

US Registration Number: 2820854

Registration Date: Mar. 09, 2004

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Feb. 20, 2014

Publication Date: Dec. 16, 2003

Mark Information

Mark Literal Elements: D

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Color(s) Claimed: Color is not claimed as a feature of the mark.

Lining and Stippling Statement: The lining is for shading purposes only and does not indicate color.

Design Search Code(s): 04.01.04 - Devils; Horns, persons having

04.01.07 - Aliens; Ghosts; Mythological beings, superbeings, ghosts, aliens; Super heroes; Zeus (mythology); Athena (mythology); Apollo (mythology); Caped characters (super heroes)

Related Properties Information

Claimed Ownership of US Registrations: 1741140

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *...* identify additional (new) wording in the goods/services.

For: decorative magnets

International Class(es): 009 - Primary Class

U.S Class(es): 021, 023, 026, 036, 038

Class Status: ACTIVE

Basis: 1(a)

First Use: May 08, 1996

Use in Commerce: May 08, 1996

For: earrings

International Class(es): 014 - Primary Class

U.S Class(es): 002, 027, 028, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Aug. 15, 1988

Use in Commerce: Aug. 15, 1988

For: stationery

International Class(es): 016 - Primary Class

U.S Class(es): 002, 005, 022, 023, 029, 037, 038, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Aug. 15, 1988

Use in Commerce: Aug. 15, 1988

For: beverage glasses and portable coolers

International Class(es): 021 - Primary Class

U.S Class(es): 002, 013, 023, 029, 030, 033, 040, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Aug. 15, 1988

Use in Commerce: Aug. 15, 1988

For: shirts, sweatshirts and underwear

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Aug. 15, 1988

Use in Commerce: Aug. 15, 1988

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Duke University

Owner Address: Office of Counsel
310 Blackwell Street, 4th Floor
Durham, NORTH CAROLINA 27710
UNITED STATES

Legal Entity Type: NON-PROFIT CORPORATION

State or Country Where Organized: NORTH CAROLINA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Susan Freya Olive

Docket Number: DUKU1901

Attorney Primary Email Address: emailboxtm@oliveandolive.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Susan Freya Olive
OLIVE & OLIVE, P.A.
P. O. Box 2049
500 Memorial Street
DURHAM, NORTH CAROLINA 27702-2049
UNITED STATES

Phone: (919) 683-5514

Fax: (919) 688-3781

Correspondent e-mail: emailboxtm@oliveandolive.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Feb. 20, 2014	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Feb. 20, 2014	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	76874
Feb. 20, 2014	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	76874
Feb. 06, 2014	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	76874
Feb. 20, 2014	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	76874
Feb. 06, 2014	TEAS SECTION 8 & 9 RECEIVED	
Dec. 17, 2009	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	70619
Dec. 17, 2009	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	70619
Dec. 08, 2009	TEAS SECTION 8 & 15 RECEIVED	
Mar. 09, 2004	REGISTERED-PRINCIPAL REGISTER	
Dec. 16, 2003	PUBLISHED FOR OPPOSITION	
Nov. 26, 2003	NOTICE OF PUBLICATION	
Oct. 09, 2003	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 07, 2003	EXAMINERS AMENDMENT MAILED	
Jun. 10, 2003	NON-FINAL ACTION MAILED	
Jun. 04, 2003	ASSIGNED TO EXAMINER	76838

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Mar. 09, 2014

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Feb. 20, 2014

Duke University's Notice of Opposition

Exhibit 21:
TSDR website printout of Reg. No. 3,157,222

DUKIE

Generated on: This page was generated by TSDR on 2016-04-12 14:41:42 EDT

Mark: DUKIE

DUKIE

US Serial Number: 78674480

Application Filing Date: Jul. 20, 2005

US Registration Number: 3157222

Registration Date: Oct. 17, 2006

Register: Principal

Mark Type: Trademark

Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.

Status Date: Apr. 30, 2012

Publication Date: Jul. 25, 2006

Mark Information

Mark Literal Elements: DUKIE

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

Claimed Ownership of US Registrations: 1701827, 2026492 and others

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (()) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Children's wear, namely, jackets, wind jackets, wind vests, undergarments, pants, shorts, sweaters, sweat pants, sweat shirts, sports jerseys, headwear, gloves, sleepwear, neckwear, uniforms, footwear, dresses; infants' wear, namely, jackets, wind jackets, wind vests, undergarments, shirts, pants, shorts, dresses, skirts, headwear, footwear, gloves, sleepwear, and infants' cloth and plastic bibs

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 17, 2002

Use in Commerce: Jul. 17, 2002

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Duke University

Owner Address: Office of Counsel
310 Blackwell Street, 4th Floor
Durham, NORTH CAROLINA 27701
UNITED STATES

Legal Entity Type: NON-PROFIT CORPORATION

State or Country NORTH CAROLINA
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Susan Freya Olive

Docket Number: DUKU0439

Attorney Primary emailboxtm@oliveandolive.com
Email Address:

Attorney Email Yes
Authorized:

Correspondent

Correspondent Susan Freya Olive
Name/Address: OLIVE & OLIVE, P.A.
500 Memorial Street
DURHAM, NORTH CAROLINA 27701
UNITED STATES

Phone: (919) 683-5514

Fax: (919) 688-3781

Correspondent e-mail: emailboxtm@oliveandolive.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Oct. 17, 2015	COURTESY REMINDER - SEC. 8 (10-YR)/SEC. 9 E-MAILED	
Apr. 30, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Apr. 30, 2012	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	70131
Apr. 30, 2012	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	70131
Apr. 13, 2012	TEAS SECTION 8 & 15 RECEIVED	
Oct. 17, 2006	REGISTERED-PRINCIPAL REGISTER	
Jul. 25, 2006	PUBLISHED FOR OPPOSITION	
Jul. 05, 2006	NOTICE OF PUBLICATION	
Jun. 03, 2006	LAW OFFICE PUBLICATION REVIEW COMPLETED	77975
May 31, 2006	ASSIGNED TO LIE	77975
May 31, 2006	ASSIGNED TO LIE	74189
May 25, 2006	APPROVED FOR PUB - PRINCIPAL REGISTER	
Apr. 27, 2006	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Apr. 25, 2006	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Apr. 25, 2006	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Feb. 17, 2006	NON-FINAL ACTION E-MAILED	6325
Feb. 17, 2006	NON-FINAL ACTION WRITTEN	76137
Feb. 17, 2006	NON-FINAL ACTION E-MAILED	6325
Feb. 17, 2006	NON-FINAL ACTION WRITTEN	76137
Feb. 08, 2006	ASSIGNED TO EXAMINER	76137
Jul. 26, 2005	NEW APPLICATION ENTERED IN TRAM	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMO LAW OFFICE 112

Date in Location: Apr. 30, 2012

Duke University's Notice of Opposition

Exhibit 22:

TSDR website printout of Reg. No. 3,780,204

DUKEENGAGE

Generated on: This page was generated by TSDR on 2016-04-12 14:42:36 EDT

Mark: DUKEENGAGE

DUKEENGAGE

US Serial Number: 77700792

Application Filing Date: Mar. 27, 2009

US Registration Number: 3780204

Registration Date: Apr. 27, 2010

Register: Principal

Mark Type: Service Mark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Apr. 27, 2010

Publication Date: Feb. 09, 2010

Mark Information

Mark Literal Elements: DUKEENGAGE

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

Claimed Ownership of US Registrations: 2203764, 2317603, 2415817 and others

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (()) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: charitable services, namely, organizing and conducting volunteer programs and community service projects; providing a website featuring information on social issues, namely, activities in the field of civic engagement and public service

International Class(es): 035 - Primary Class

U.S Class(es): 100, 101, 102

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 01, 2007

Use in Commerce: Feb. 01, 2007

For: charitable fundraising services

International Class(es): 036 - Primary Class

U.S Class(es): 100, 101, 102

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 01, 2007

Use in Commerce: Feb. 01, 2007

For: Educational services, namely, conducting workshops and programs and providing internships in the field of civic engagement and public service and distribution of training material in connection therewith; on-line journals, namely, blogs featuring information regarding cultural immersion for community service projects and other volunteer programs

International Class(es): 041 - Primary Class

U.S Class(es): 100, 101, 107

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 01, 2007

Use in Commerce: Feb. 01, 2007

For: Computer services, namely, creating an on-line community for users to participate in discussions and receive feedback

International Class(es): 042 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 01, 2007

Use in Commerce: Feb. 01, 2007

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Duke University

Owner Address: 310 Blackwell Street
4th floor
Durham, NORTH CAROLINA 27701
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: NORTH CAROLINA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Susan Freya Olive

Docket Number: DUKU0457

Attorney Primary Email Address: emailboxtm@oliveandolive.com

Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: SUSAN FREYA OLIVE
OLIVE & OLIVE, P.A.
PO BOX 2049
DURHAM, NORTH CAROLINA 27702-2049
UNITED STATES

Phone: 919-683-5514

Fax: 919-688-3781

Correspondent e-mail: emailboxtm@oliveandolive.com

Correspondent e-mail Authorized: No

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Apr. 27, 2010	REGISTERED-PRINCIPAL REGISTER	
Feb. 09, 2010	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Feb. 09, 2010	PUBLISHED FOR OPPOSITION	
Jan. 07, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	74221
Jan. 07, 2010	ASSIGNED TO LIE	74221
Dec. 17, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 16, 2009	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Dec. 16, 2009	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Dec. 16, 2009	TEAS RESPONSE TO OFFICE ACTION RECEIVED	

Jun. 17, 2009	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jun. 17, 2009	NON-FINAL ACTION E-MAILED	6325
Jun. 17, 2009	NON-FINAL ACTION WRITTEN	81097
Jun. 17, 2009	ASSIGNED TO EXAMINER	81097
Apr. 01, 2009	NOTICE OF PSEUDO MARK MAILED	
Mar. 31, 2009	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Mar. 31, 2009	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Apr. 27, 2010

Duke University's Notice of Opposition

Exhibit 23:

TSDR website printout of Reg. No. 3,878,213

DUKE with Devil Design



Generated on: This page was generated by TSDR on 2016-04-12 14:43:14 EDT

Mark: DUKE



US Serial Number: 78944344

Application Filing Date: Aug. 03, 2006

US Registration Number: 3878213

Registration Date: Nov. 16, 2010

Register: Principal

Mark Type: Trademark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Nov. 16, 2010

Publication Date: Oct. 20, 2009

Notice of Allowance Date: Apr. 20, 2010

Mark Information

Mark Literal Elements: DUKE

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Color(s) Claimed: Color is not claimed as a feature of the mark.

Design Search Code(s): 04.01.05 - Heads with horns (persons); Heads of devils or horned personages, with or without wings, and devil's tail

Related Properties Information

Claimed Ownership of US Registrations: 1703446, 1737968, 1742734 and others

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (()) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Decals, note pads, note cards, writing paper, and binders

International Class(es): 016 - Primary Class

U.S Class(es): 002, 005, 022, 023, 029, 037, 038, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 01, 2010

Use in Commerce: Feb. 01, 2010

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Duke University

Owner Address: 310 Blackwell Street, 4th Floor
Durham, NORTH CAROLINA UNITED STATES 27701

Legal Entity Type: NON-PROFIT CORPORATION

State or Country NORTH CAROLINA
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Susan Freya Olive

Docket Number: DUKU0444

Attorney Primary Email Address: emailboxtm@oliveandolive.com

Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: SUSAN FREYA OLIVE
OLIVE & OLIVE PA
PO BOX 2049
DURHAM, NORTH CAROLINA UNITED STATES 27702-2049

Phone: (919) 683-5514

Fax: (919) 688-3781

Correspondent e-mail: emailboxtm@oliveandolive.com

Correspondent e-mail Authorized: No

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Dec. 17, 2010	CERTIFICATE OF CORRECTION ISSUED	76293
Dec. 17, 2010	ASSIGNED TO PARALEGAL	76293
Nov. 16, 2010	REGISTERED-PRINCIPAL REGISTER	
Oct. 14, 2010	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Oct. 13, 2010	LAW OFFICE REGISTRATION REVIEW COMPLETED	70884
Oct. 13, 2010	ASSIGNED TO LIE	70884
Sep. 30, 2010	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Sep. 28, 2010	STATEMENT OF USE PROCESSING COMPLETE	76874
Aug. 30, 2010	USE AMENDMENT FILED	76874
Sep. 27, 2010	CASE ASSIGNED TO INTENT TO USE PARALEGAL	76874
Aug. 30, 2010	TEAS STATEMENT OF USE RECEIVED	
Apr. 20, 2010	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Mar. 05, 2010	EXTENSION OF TIME TO OPPOSE PROCESS - TERMINATED	
Nov. 18, 2009	EXTENSION OF TIME TO OPPOSE RECEIVED	
Oct. 20, 2009	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Oct. 20, 2009	PUBLISHED FOR OPPOSITION	
Sep. 16, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	76243
Sep. 15, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 26, 2009	LIE CHECKED SUSP - TO ATTY FOR ACTION	76243
Feb. 21, 2009	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	
Jan. 29, 2009	LIE CHECKED SUSP - TO ATTY FOR ACTION	76243
Jul. 24, 2008	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	76243
Jan. 23, 2008	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	
Jul. 23, 2007	NOTIFICATION OF LETTER OF SUSPENSION E-MAILED	6332
Jul. 23, 2007	LETTER OF SUSPENSION E-MAILED	6332
Jul. 23, 2007	SUSPENSION LETTER WRITTEN	76635
Jun. 30, 2007	LIE CHECKED SUSP - TO ATTY FOR ACTION	76243
Jun. 30, 2007	ASSIGNED TO LIE	76243
Dec. 28, 2006	LETTER OF SUSPENSION E-MAILED	6332

Dec. 28, 2006	SUSPENSION LETTER WRITTEN	76635
Dec. 17, 2006	ASSIGNED TO EXAMINER	76635
Aug. 09, 2006	NOTICE OF DESIGN SEARCH CODE MAILED	
Aug. 08, 2006	NEW APPLICATION ENTERED IN TRAM	

Maintenance Filings or Post Registration Information

Change in Yes
Registration:

Correction made to The drawing is corrected to appear as follows: Publish cut
Registration:

TM Staff and Location Information

TM Staff Information - None

File Location

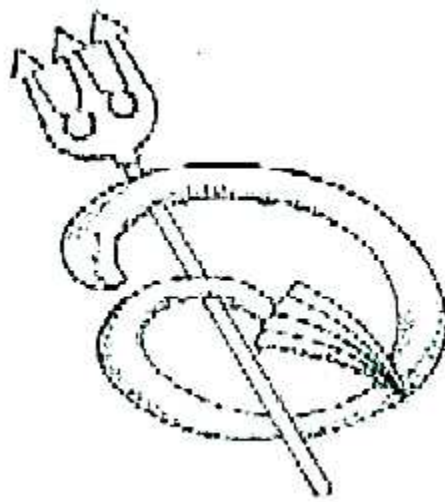
Current Location: Not Found

Date in Location: Feb. 17, 2011

Duke University's Notice of Opposition

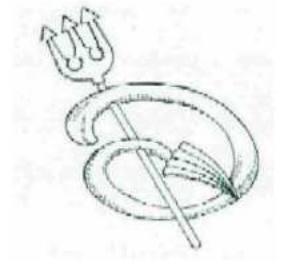
Exhibit 24:
TSDR website printout of Reg. No. 3,925,905

D



Generated on: This page was generated by TSDR on 2016-04-12 14:43:57 EDT

Mark: D



US Serial Number: 77409399

Application Filing Date: Feb. 29, 2008

US Registration Number: 3925905

Registration Date: Mar. 01, 2011

Register: Principal

Mark Type: Trademark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Mar. 01, 2011

Publication Date: Apr. 14, 2009

Notice of Allowance Date: Jul. 07, 2009

Mark Information

Mark Literal Elements: D

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Description of Mark: The mark consists of a stylized capital letter "D" superimposed over a three-pronged pitchfork. The letter "D" contains a barbed devil tail that encircles the pitchfork's staff.

Color(s) Claimed: Color is not claimed as a feature of the mark.

Lining and Stippling Statement: The stippling is for shading purposes only.

Design Search Code(s): 04.01.01 - Winged human heads, feet, shoes or other parts
14.07.02 - Farm equipment, agricultural implements (non-motorized), pitchfork; Pitch forks; Pitchfork
27.03.05 - Objects forming letters or numerals

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *...* identify additional (new) wording in the goods/services.

For: Key holders made primarily of metal

International Class(es): 006 - Primary Class

U.S Class(es): 002, 012, 013, 014, 023, 025, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Nov. 18, 2010

Use in Commerce: Nov. 18, 2010

For: Pocket knives

International Class(es): 008 - Primary Class

U.S Class(es): 023, 028, 044

Class Status: ACTIVE

Basis: 1(a)		
First Use: Nov. 18, 2010	Use in Commerce: Nov. 18, 2010	
<hr/>		
For: Decorative magnets		
International Class(es): 009 - Primary Class	U.S Class(es): 021, 023, 026, 036, 038	
Class Status: ACTIVE		
Basis: 1(a)		
First Use: Nov. 18, 2010	Use in Commerce: Nov. 18, 2010	
<hr/>		
For: Jewelry; wrist watches		
International Class(es): 014 - Primary Class	U.S Class(es): 002, 027, 028, 050	
Class Status: ACTIVE		
Basis: 1(a)		
First Use: Nov. 18, 2010	Use in Commerce: Nov. 18, 2010	
<hr/>		
For: desktop business card holders, decals, stickers		
International Class(es): 016 - Primary Class	U.S Class(es): 002, 005, 022, 023, 029, 037, 038, 050	
Class Status: ACTIVE		
Basis: 1(a)		
First Use: Nov. 18, 2010	Use in Commerce: Nov. 18, 2010	
<hr/>		
For: mugs, thermal insulated containers for food or beverage		
International Class(es): 021 - Primary Class	U.S Class(es): 002, 013, 023, 029, 030, 033, 040, 050	
Class Status: ACTIVE		
Basis: 1(a)		
First Use: Nov. 18, 2010	Use in Commerce: Nov. 18, 2010	
<hr/>		
For: Cloth pennants		
International Class(es): 024 - Primary Class	U.S Class(es): 042, 050	
Class Status: ACTIVE		
Basis: 1(a)		
First Use: Nov. 18, 2010	Use in Commerce: Nov. 18, 2010	
<hr/>		
For: Clothing, namely, shorts, headwear, tops, shirts		
International Class(es): 025 - Primary Class	U.S Class(es): 022, 039	
Class Status: ACTIVE		
Basis: 1(a)		
First Use: Nov. 18, 2010	Use in Commerce: Nov. 18, 2010	
<hr/>		
For: Balloons		
International Class(es): 028 - Primary Class	U.S Class(es): 022, 023, 038, 050	
Class Status: ACTIVE		
Basis: 1(a)		
First Use: Nov. 18, 2010	Use in Commerce: Nov. 18, 2010	

Basis Information (Case Level)

Filed Use: No
Filed ITU: Yes
Filed 44D: No

Currently Use: Yes
Currently ITU: No
Currently 44D: No

Amended Use: No
Amended ITU: No
Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Duke University

Owner Address: Office of Counsel
310 Blackwell Street, 4th Floor
Durham, NORTH CAROLINA 27710
UNITED STATES

Legal Entity Type: CORPORATION

State or Country NORTH CAROLINA
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Susan Freya Olive

Docket Number: DUKU0456

Attorney Primary emailboxtm@oliveandolive.com
Email Address:

Attorney Email No
Authorized:

Correspondent

Correspondent SUSAN FREYA OLIVE
Name/Address: OLIVE & OLIVE, P.A.
500 MEMORIAL STREET
DURHAM, NORTH CAROLINA 27702-0001
UNITED STATES

Phone: 919-683-5514

Fax: 919-688-3781

Correspondent e- emailboxtm@oliveandolive.com
mail:

Correspondent e- No
mail Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Mar. 01, 2016	COURTESY REMINDER - SEC. 8 (6-YR) E-MAILED	
Mar. 01, 2011	REGISTERED-PRINCIPAL REGISTER	
Jan. 22, 2011	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Jan. 21, 2011	LAW OFFICE REGISTRATION REVIEW COMPLETED	77312
Jan. 20, 2011	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jan. 19, 2011	STATEMENT OF USE PROCESSING COMPLETE	76874
Jan. 06, 2011	USE AMENDMENT FILED	76874
Jan. 06, 2011	TEAS STATEMENT OF USE RECEIVED	
Jul. 09, 2010	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Jul. 07, 2010	EXTENSION 2 GRANTED	98765
Jul. 07, 2010	EXTENSION 2 FILED	98765
Jul. 07, 2010	TEAS EXTENSION RECEIVED	
Jan. 12, 2010	EXTENSION 1 GRANTED	76874
Jan. 06, 2010	EXTENSION 1 FILED	76874
Jan. 06, 2010	TEAS EXTENSION RECEIVED	
Aug. 25, 2009	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	76874
Aug. 25, 2009	CASE ASSIGNED TO INTENT TO USE PARALEGAL	76874
Jul. 27, 2009	FAX RECEIVED	
Jul. 27, 2009	FAX RECEIVED	
Jul. 07, 2009	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Apr. 14, 2009	PUBLISHED FOR OPPOSITION	
Mar. 25, 2009	NOTICE OF PUBLICATION	
Feb. 13, 2009	WITHDRAWN FROM PUB - OG REVIEW QUERY	61844
Jan. 02, 2009	WITHDRAWN FROM PUB - OG REVIEW QUERY	61844

Dec. 23, 2008	LAW OFFICE PUBLICATION REVIEW COMPLETED	77312
Dec. 23, 2008	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 23, 2008	EXAMINER'S AMENDMENT ENTERED	88888
Dec. 23, 2008	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Dec. 23, 2008	EXAMINERS AMENDMENT E-MAILED	6328
Dec. 23, 2008	EXAMINERS AMENDMENT -WRITTEN	76134
Dec. 17, 2008	PREVIOUS ALLOWANCE COUNT WITHDRAWN	
Dec. 12, 2008	WITHDRAWN FROM PUB - OG REVIEW QUERY	61844
Dec. 04, 2008	LAW OFFICE PUBLICATION REVIEW COMPLETED	77312
Dec. 04, 2008	ASSIGNED TO LIE	77312
Dec. 01, 2008	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 26, 2008	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Nov. 26, 2008	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Nov. 26, 2008	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jun. 11, 2008	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jun. 11, 2008	NON-FINAL ACTION E-MAILED	6325
Jun. 11, 2008	NON-FINAL ACTION WRITTEN	76134
Jun. 10, 2008	ASSIGNED TO EXAMINER	76134
Mar. 06, 2008	NOTICE OF DESIGN SEARCH CODE AND PSEUDO MARK MAILED	
Mar. 05, 2008	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jan. 21, 2011

Duke University's Notice of Opposition

Exhibit 25:

TSDR website printout of Reg. No. 3,936,096

DUKE

Generated on: This page was generated by TSDR on 2016-04-12 14:44:39 EDT

Mark: DUKE

US Serial Number: 75567914

Application Filing Date: Oct. 08, 1998

US Registration Number: 3936096

Registration Date: Mar. 29, 2011

Register: Principal

Mark Type: Trademark

Status: A cancellation proceeding is pending at the Trademark Trial and Appeal Board. For further information, see TTABVue on the Trademark Trial and Appeal Board web page.

Status Date: Apr. 07, 2016

Publication Date: Jul. 07, 2009

Mark Information

Mark Literal Elements: DUKE

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Related Properties Information

Claimed Ownership of US Registrations: 1702830, 1707827, 2026492

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (()) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: clothing for men, women and children, namely, cloth and plastic bibs, booties, cheerleading costumes, dresses, hats, jackets, jerseys, mittens, neckties, nightshirts, pajamas, pants, playsuits, shirts, shoes, shorts, slippers, socks, sun visors, sweatbands, sweatpants, sweatshirts, sweaters, T-shirts and vests, and headwear, namely, earbands

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: 1926

Use in Commerce: 1926

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Duke University

Owner Address: Office of Counsel
Durham, NORTH CAROLINA 27710
UNITED STATES

Legal Entity Type: NON-PROFIT CORPORATION

State or Country: NORTH CAROLINA
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Vedia Jones-Richardson

Docket Number: DUKU0433

Attorney Primary Email Address: emailboxtm@oliveandolive.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: DUKE UNIVERSITY
OFFICE OF COUNSEL
DURHAM, NORTH CAROLINA 27710
UNITED STATES

Phone: 9196835514

Fax: 9196883781

Correspondent e-mail: emailboxtm@oliveandolive.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Apr. 07, 2016	CANCELLATION INSTITUTED NO. 999999	63474
Mar. 29, 2016	TEAS SECTION 8 & 15 RECEIVED	
Mar. 29, 2011	REGISTERED-PRINCIPAL REGISTER	
Feb. 18, 2011	TTAB RELEASE CASE TO TRADEMARKS	193267
Feb. 18, 2011	OPPOSITION TERMINATED NO. 999999	193267
Feb. 18, 2011	OPPOSITION DISMISSED NO. 999999	193267
Jan. 05, 2010	OPPOSITION INSTITUTED NO. 999999	193267
Jul. 27, 2009	EXTENSION OF TIME TO OPPOSE RECEIVED	
Jul. 07, 2009	PUBLISHED FOR OPPOSITION	
Jun. 17, 2009	NOTICE OF PUBLICATION	
Jun. 04, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	68171
Jun. 03, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 02, 2009	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Jun. 02, 2009	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Jun. 02, 2009	TEAS REQUEST FOR RECONSIDERATION RECEIVED	
Dec. 08, 2008	FINAL REFUSAL MAILED	
Dec. 08, 2008	FINAL REFUSAL WRITTEN	76145
Nov. 17, 2008	LIE CHECKED SUSP - TO ATTY FOR ACTION	68171
May 14, 2008	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	
May 14, 2008	LIE CHECKED SUSP - TO ATTY FOR ACTION	68171
Nov. 13, 2007	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	68171
May 09, 2007	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	
Apr. 26, 2007	LIE CHECKED SUSP - TO ATTY FOR ACTION	68171
Apr. 26, 2007	ASSIGNED TO LIE	68171
Oct. 10, 2006	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	68171

Apr. 05, 2006	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	78145
Oct. 04, 2005	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	68171
Mar. 29, 2005	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	76532
Sep. 20, 2004	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	
Aug. 12, 2004	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	70138
May 29, 2003	CASE FILE IN TICRS	
Apr. 26, 2000	LETTER OF SUSPENSION MAILED	
Apr. 25, 2000	ASSIGNED TO EXAMINER	76145
Dec. 27, 1999	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jun. 21, 1999	NON-FINAL ACTION MAILED	
Jun. 04, 1999	ASSIGNED TO EXAMINER	74301
May 14, 1999	ASSIGNED TO EXAMINER	69817
May 11, 1999	ASSIGNED TO EXAMINER	74301
May 06, 1999	ASSIGNED TO EXAMINER	73712

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Mar. 29, 2011

Duke University's Notice of Opposition

Exhibit 26:

TSDR website printout of Reg. No. 3,995,015

DUKE UNIVERSITY ATHLETICS EXCELLENCE
LOYALTY DIVERSITY EDUCATION
ACCOUNTABILITY SPORTSMANSHIP
COMMITMENT INTEGRITY RESPECT D



Generated on: This page was generated by TSDR on 2016-04-12 14:45:26 EDT

Mark: DUKE UNIVERSITY ATHLETICS EXCELLENCE LOYALTY DIVERSITY
EDUCATION ACCOUNTABILITY SPORTSMANSHIP COMMITMENT
INTEGRITY RESPECT D



US Serial Number: 85049335

Application Filing Date: May 27, 2010

US Registration Number: 3995015

Registration Date: Jul. 12, 2011

Register: Principal

Mark Type: Trademark, Service Mark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Jul. 12, 2011

Publication Date: Nov. 16, 2010

Notice of Allowance Date: Jan. 11, 2011

Mark Information

Mark Literal Elements: DUKE UNIVERSITY ATHLETICS EXCELLENCE LOYALTY DIVERSITY EDUCATION ACCOUNTABILITY SPORTSMANSHIP COMMITMENT INTEGRITY RESPECT D

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Description of Mark: The mark consists of a medallion design that consists of two outer concentric rings and an inner circle. The outermost ring has a scalloped border and contains nine stars. The mid ring contains the words "DUKE UNIVERSITY ATHLETICS" in a circular presentation. The inner circle contains the words "LOYALTY DIVERSITY EDUCATION ACCOUNTABILITY" stacked in the top half and "SPORTSMANSHIP COMMITMENT INTEGRITY RESPECT" stacked in the bottom half. The word "EXCELLENCE" appears in an oblong banner that horizontally bisects the entire medallion. A stylized letter "D" appears at the bottom of the medallion in the scalloped outer ring.

Color(s) Claimed: Color is not claimed as a feature of the mark.

Disclaimer: "UNIVERSITY", "ATHLETICS", "EXCELLENCE", "LOYALTY", "DIVERSITY", "EDUCATION", "ACCOUNTABILITY", "SPORTSMANSHIP", "COMMITMENT", "INTEGRITY" AND "RESPECT"

Design Search Code(s): 24.07.04 - Medals
24.09.07 - Advertising, banners; Banners
26.01.07 - Circles with a decorative border, including scalloped, ruffled and zig-zag edges
26.01.17 - Circles, two concentric; Concentric circles, two; Two concentric circles

Related Properties Information

Claimed Ownership of US Registrations: 2203764, 2317603, 2415817 and others

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *...* identify additional (new) wording in the goods/services.

For: Clothing, namely, shirts

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 11, 2006

Use in Commerce: Sep. 11, 2006

For: Entertainment services, namely, organizing and conducting an array of athletic events; Encouraging university athletic program by organizing and conducting educational programs and activities for athletes, alumni, supporters and fans; providing various facilities for an array of sporting events, sports and athletic competitions and awards programs

International Class(es): 041 - Primary Class

U.S Class(es): 100, 101, 107

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 11, 2006

Use in Commerce: Sep. 11, 2006

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Duke University

Owner Address: 310 Blackwell Street, 4th Floor
Office of Counsel
Durham, NORTH CAROLINA 27710
UNITED STATES

Legal Entity Type: CORPORATION

State or Country NORTH CAROLINA
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Susan Freya Olive

Docket Number: DUKU0455

Attorney Primary Email Address: emailboxtm@oliveandolive.com

Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: SUSAN FREYA OLIVE
OLIVE & OLIVE, P.A.
PO BOX 2049
DURHAM, NORTH CAROLINA 27702-2049
UNITED STATES

Phone: 919-683-5514

Fax: 919-688-3781

Correspondent e-mail: emailboxtm@oliveandolive.com

Correspondent e-mail Authorized: No

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Sep. 13, 2011	REPRINTING REGISTRATION CERTIFICATE	
Sep. 13, 2011	CERTIFICATE OF CORRECTION ISSUED	70132
Aug. 28, 2011	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	70132

Aug. 25, 2011	TEAS SECTION 7 REQUEST RECEIVED	
Jul. 12, 2011	REGISTERED-PRINCIPAL REGISTER	
Jun. 07, 2011	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Jun. 06, 2011	LAW OFFICE REGISTRATION REVIEW COMPLETED	69712
May 24, 2011	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
May 24, 2011	STATEMENT OF USE PROCESSING COMPLETE	61813
May 19, 2011	USE AMENDMENT FILED	61813
May 24, 2011	CASE ASSIGNED TO INTENT TO USE PARALEGAL	61813
May 19, 2011	TEAS STATEMENT OF USE RECEIVED	
Jan. 11, 2011	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Nov. 16, 2010	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Nov. 16, 2010	PUBLISHED FOR OPPOSITION	
Oct. 08, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	69712
Oct. 08, 2010	ASSIGNED TO LIE	69712
Sep. 24, 2010	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 24, 2010	EXAMINER'S AMENDMENT ENTERED	88888
Sep. 24, 2010	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Sep. 24, 2010	EXAMINERS AMENDMENT E-MAILED	6328
Sep. 24, 2010	EXAMINERS AMENDMENT -WRITTEN	73363
Sep. 14, 2010	NOTIFICATION OF PRIORITY ACTION E-MAILED	6326
Sep. 14, 2010	PRIORITY ACTION E-MAILED	6326
Sep. 14, 2010	PRIORITY ACTION WRITTEN	73363
Sep. 09, 2010	ASSIGNED TO EXAMINER	73363
Jun. 02, 2010	NOTICE OF DESIGN SEARCH CODE MAILED	
Jun. 01, 2010	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
May 31, 2010	NEW APPLICATION ENTERED IN TRAM	

Maintenance Filings or Post Registration Information

Change in Yes
Registration:

Correction made to In the statement of goods , class 41Entertainment services, namely, organizing and conducting an array of athletic events;
Registration: Encouraging university athletic program by organizing and conducting educational programs and activities for athletes, alumni, supporters and fans; providing various facilities for an array of sporting events, sports and athletic competitions and awards programs should be inserted. First use dates anywhere and in commerce 9-11-2006 should be inserted.

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: Oct. 28, 2011

Duke University's Notice of Opposition

Exhibit 27:

TSDR website printout of Reg. No. 4,760,204

IRON DUKES

Generated on: This page was generated by TSDR on 2016-04-12 14:50:48 EDT

Mark: IRON DUKES

IRON DUKES

US Serial Number: 86445421

Application Filing Date: Nov. 05, 2014

US Registration Number: 4760204

Registration Date: Jun. 23, 2015

Register: Principal

Mark Type: Service Mark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Jun. 23, 2015

Publication Date: Apr. 07, 2015

Mark Information

Mark Literal Elements: IRON DUKES

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

Claimed Ownership of US Registrations: 1003662, 2317603, 4108223 and others

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (()) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Charitable services, namely, promoting public awareness of the need for supporting athletic activities, facilities and events; Club services, namely, promoting the interests of supporters of athletic activities, facilities and events

International Class(es): 035 - Primary Class

U.S Class(es): 100, 101, 102

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 01, 1971

Use in Commerce: Jul. 01, 1971

For: Charitable fundraising to support athletic activities, facilities and events

International Class(es): 036 - Primary Class

U.S Class(es): 100, 101, 102

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 01, 1971

Use in Commerce: Jul. 01, 1971

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No
Filed 44E: No
Filed 66A: No
Filed No Basis: No

Currently 44D: No
Currently 44E: No
Currently 66A: No
Currently No Basis: No

Amended 44D: No
Amended 44E: No

Current Owner(s) Information

Owner Name: Duke University
Owner Address: Office of Counsel
310 Blackwell Street, 4th Floor
Durham, NORTH CAROLINA UNITED STATES 27701
Legal Entity Type: CORPORATION
State or Country Where Organized: NORTH CAROLINA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Susan Freya Olive
Attorney Primary Email Address: emailboxtm@oliveandolive.com
Docket Number: DUKU0904
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: SUSAN FREYA OLIVE
OLIVE & OLIVE, P.A.
PO BOX 2049
DURHAM, NORTH CAROLINA UNITED STATES 27702-2049
Phone: 919 683 5514
Fax: 919 688 3781
Correspondent e-mail: emailboxtm@oliveandolive.com
Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jun. 23, 2015	REGISTERED-PRINCIPAL REGISTER	
Apr. 07, 2015	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Apr. 07, 2015	PUBLISHED FOR OPPOSITION	
Mar. 18, 2015	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Feb. 26, 2015	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 25, 2015	ASSIGNED TO EXAMINER	89013
Nov. 14, 2014	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Nov. 08, 2014	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION
Date in Location: Jun. 23, 2015

Proceedings

Summary

Number of Proceedings: 10

Type of Proceeding: Opposition

Proceeding Number: [91226227](#)
Status: Pending
Interlocutory Attorney: MIKE WEBSTER
Filing Date: Feb 08, 2016
Status Date: Feb 08, 2016

Duke University's Notice of Opposition

Exhibit 28: Common Law Marks

DUKE

Used as a house mark and as a trademark to identify a wide range of products sold and licensed by Duke University, in virtually all areas of endeavor, to men, women and children of all ages. For purposes of this proceeding, the products can generally be defined as consumer goods, and those asserted herein are the following:

- Cosmetics, skin care products, personal bathing and grooming products, and toiletries (including, by way of example, body and nail art, decorative transfers, face paint, glitter, personal care packs comprising containers with toiletries therein, and toothbrushes);
- Clothing of all types for babies, children, men and women (including, by way of example, belts and suspenders; bibs; bottoms including pants, shorts, and other bottoms, separately or in combination with tops; footwear; hairwear; headwear and neckwear; loungewear, nightwear and sleepwear; outerwear including blazers, coats, foul weather gear, jackets, sweatshirts, and other outerwear; tops including shirts, blouses, and other tops; undergarments and other lingerie; and specialty wear including athletic apparel, bike shorts, exercise wear, performance wear, skiwear, swimwear, and uniforms);
- Clothing accessories and hair accessories;
- Fabric for sewing;
- Personal accessories (including, by way of example, hair holders and hair ornaments, key holders, sunglasses, and wallets);
- Jewelry for men and women (including both costume jewelry and jewelry of precious metal);
- Time-keeping instruments (including clocks and watches);
- Electronic and computer accessories (including, by way of example, data storage devices, earphones, mouse pads, protective storage for computers and computer accessories, speakers);
- Computer application software (including, by way of example, web-based information and applications for use on common mobile platforms; and educational programs)
- Containers for personal and household items, and luggage (including, by way of example, backpacks; bags and cases adapted to hold electronic devices and computers; baskets; containers to hold personal care, skin care, grooming, and cosmetic items; coolers; duffels; piggy banks; sport bags; suitcases; totes); luggage tags
- Beverageware, barware, insulating covers for beverage containers, coolers, decanters, flasks, drinkware; feeding wares for children; kitchenware; kitchen, cooking and grilling accessories; picnicware; tableware
- Foods and beverages
- Housewares and household furnishings (including by way of example candles, cushions, curtains, mats, picture frames, rugs, and trash cans); bedding and pillows; bathware (the latter including, by way of example, towels, washcloths, bath mats, shower curtains, toiletry holders, and bathing accessories);

- Décor and ornaments; holiday ornaments and holiday décor; household ornaments; sports ornaments; decorative items for home, vehicle, business and garden adornment; banners, decals, flags and pennants;
- Automobile and other vehicular decorative accessories (including by way of example banners bumper stickers, decals, flags, fins, key holders, license plate holders; mirror ornaments, ornamental license plates, pennants);
- Writing instruments and paper goods (the latter including by way of example artworks of paper; books; cards; memo pads, paper napkins; paper plates; wrapping paper; collectibles)
- Desk and office accessories (including by way of example business card holders, desk sets, memo pad holders, pencil holders, paper clip holders, paper weights, photo albums);
- Furniture (including by way of example chairs, canopies, stools, and tables);
- Lighting and accessories therefor (including by way of example lamps, lampshades, and flashlights);
- Games and toys (including, by way of example, action figures, dolls, stuffed and plush toys, board games, card games, electronic and video games, tabletop games, outdoor games and equipment for such games; toy sporting equipment); game tables;
- Sports equipment and sports accessories (including by way of example balls, ball markers, bats, carabiners, golf bags, golf headcovers, helmets, sports bags, tees, sports towels, sports umbrellas); bicycles and bicycle accessories (the latter including by way of example bicycle clothing, gear, and bags);
- Sports memorabilia; university memorabilia; fanware; gift items intended to remind recipients of Duke University or some aspect of the services and entertainment provided by Duke University and its affiliates
- Pet accessories (including by way of example apparel, costumes, restraint devices, and toys);
- Pre-recorded musical, audio, and audiovisual works; cell phone ringtones; streaming live musical performances; streaming live athletic performances; streaming live educational programs and performances
- Publications in the nature of books, booklets, brochures, magazines, periodicals, and documents, and information provided via the Internet, such publications relating to Duke University, its programs, research, staff, students, fans, and alumni, and/or concerning subjects of general human interest and/or of interest to students, professors, alumni and/or fans, and/or concerning subjects of interest to professionals in fields of study taught at Duke University;
- And, all products listed in the trademark registrations recited in the Notice of Opposition.

DUKE

Used as a house mark and as a service mark to identify a wide range of services provided and licensed by Duke University, including all services typically provided by a major research university with an associated medical center, professional schools, top tier athletic teams, and trademark licensing program. For purposes of this proceeding, those asserted herein are the following:

- Charitable and fundraising services;
- Educational services for men, women and children (including the provision of classes, conferences, courses, seminars, tutoring, training, and workshops, both in traditional formats and via broadcast and online media, at the pre-university, university, graduate and post-graduate levels);
- Educational and training services in the fields of art, business, economics, education, engineering, environmental studies, foreign languages, health and wellness, law, liberal arts, mathematics, medicine, military science, music, nursing, public policy, religion, science, social sciences, sports, technology, the performance arts, and auxiliary skills necessary to success in life and in a career;
- Entertainment services, namely sponsoring athletic events, artistic performances, and cultural affairs; organizing and conducting collegiate and pre-collegiate sport competitions and athletic events;
- Museums and museum services;
- Musical and theatrical performances, training, and education;
- Personal care services in the nature of spa, gym, salon and barber shop services;
- Photography services;
- Providing athletic performances, providing and/or sponsoring athletic teams and clubs, and engaging in athletic competitions in the fields of badminton, baseball, basketball, crew, cross country, cycling, dancing, diving, endurance events, equestrian, fencing, field hockey, football, golf, ice hockey, ice skating, lacrosse, martial arts, motor sports (including automobile racing), racing, racquetball, rowing, rugby, sailing, skiing, soccer, softball, snowboard, swimming, table tennis, tennis, track and field, ultimate Frisbee, volleyball, water polo, and wrestling, and in all sports regulated by the NCAA;
- Providing counseling services, hospital services, medical and nursing services, diet and fitness services, mental and physical health and wellness services, psychological and psychiatric services, pharmaceutical services;
- Providing, on-line and through live, broadcast and pre-recorded media, information relating to Duke University, its programs, research, employees, students, fans, and alumni, information concerning subjects of general human interest, information of interest to students, employees, alumni and/or fans, and information concerning subjects of interest to professionals in fields of study taught at Duke University;
- Publishing services;
- Religious instruction, teaching, counseling and services including divinity school services and church services;
- Research in the fields of art, business, economics, education, engineering, environmental studies, foreign languages, law, liberal arts, health and wellness,

mathematics, medicine, music, nursing, public policy, religion, science, social sciences, sports, technology, the performance arts, and auxiliary skills necessary to success in a career, and in all fields in which Duke University provides educational services;

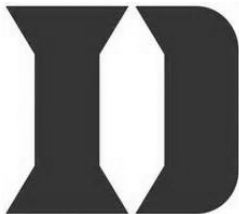
- Restaurant services, hospitality services, bar services, provision of food and beverages, and supervision of third-party provision of food and beverages;
- Sports camp, sports club, sports medicine, sports rehabilitation, and sports training services;
- Retail store and retail sales services, from fixed premises and online and via catalog and telephone and mail-order, featuring a wide variety of consumer goods of others; retail store and retail sales services, from fixed premises and online and via catalog and telephone and mail-order, featuring a wide variety of goods bearing the marks of Duke University; retail store and retail sales services, from fixed premises and online and via catalog and telephone and mail-order, featuring those goods identified in the list of common law goods recited in this Notice of Opposition, as well as soaps and other bath and grooming products
- Retail store services in the fields of personal care, grooming, cosmetics and health and wellness;
- And, all services listed in the service mark registrations recited in the Notice of Opposition.

DUKE UNIVERSITY

Substantially the same goods as provided herein with respect to DUKE; substantially the same entertainment, education, health, medical and sports related services as provided herein with respect to DUKE

The letter “D” in plain form, and in a wide variety of designs including but not limited to those depicted in the Notice of Opposition and the registrations cited therein

Substantially the same goods as provided herein with respect to DUKE; substantially the same entertainment, education, health, medical and sports related services as provided herein with respect to DUKE



Substantially the same goods as provided herein with respect to DUKE; substantially the same entertainment, education, health, and sports related services as provided herein with respect to DUKE

IRON DUKE

Clothing in the nature of footwear, head wear, tops, bottoms, foul weather gear, and athletic apparel; sports equipment and accessories; decals and other items indicating affiliation with an athletic support organization; membership services related to an athletic support organization

IRON DUKES

Clothing in the nature of footwear, head wear, tops, bottoms, foul weather gear, and athletic apparel; sports equipment and accessories; decals and other items indicating affiliation with an athletic support organization; membership services related to an athletic support organization; operating a website with links to purchase a variety of consumer goods; operating a website with links to purchase prerecorded music and audiovisual works, and to obtain access to streaming entertainment in the nature of musical and sports performances

DU

A wide range of education and entertainment services, and retail sales services including but not limited to university services, sports services including providing entertainment via athletic teams including but not limited to basketball and football teams, other entertainment services, medical and health services; and for products including but not limited to clothing and accessories